Docket No.: 3885-0102P

(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Hisashi YAMADA et al.

Application No.: 10/046,739 Confirmation No.: 2551

Filed: January 17, 2002 Art Unit: 2893

For: THIN-FILM CRYSTAL WAFER HAVING Examiner: N. NGO

PN JUNCTION AND METHOD FOR FABRICATING THE WAFER

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT UNDER 37 CFR §1.705(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §§ 1.705(b), the Applicants hereby request reconsideration of the patent term adjustment indicated on the Notice of Allowance for Application No. 10/046,739 (Exhibit 1). Specifically, while the Notice of Allowance indicates a patent term adjustment of 1443 days, Applicants submit that the patent term adjustment should correctly be 2552 days based on the following explanation.

STATEMENT OF FACTS

- The Notice of Allowance, which issued in this case on March 15, 2010, indicated that the Patent Term Adjustment to date was 1443 days (see page 3 of Exhibit 1).
- The U. S. Patent and Trademark Office's Patent Term Adjustment History, as indicated in the Patent Application Information Retrieval (PAIR) system indicates a Patent Term Adjustment due to prosecution delays of <u>1443 days</u>, based upon 1443 days of USPTO delays (see Exhibit 2).

Application No.: 10/046,739 Docket No.: 3885-0102P
Request for Reconsideration of PTA filed May 7, 2010 Page 2 of 4

3. The Patent Term Adjustment History, as indicated in the USPTO's PAIR system, does not set forth any additional days of USPTO delay in connection the erroneous Notice of Abandonment mailed on July 28, 2003 (See Exhibit 3), for which a Petition to Withdraw the Holding of Abandonment was submitted on August 20, 2003 (See Exhibit 4).

- A Second Submission of the Petition to Withdraw the Holding of Abandonment was submitted on November 25, 2003, (See Exhibit 5).
- 5. A Decision on Petition mailed July 22, 2004 granting the applicants' Petition to Withdraw the Holding of Abandonment (and which indicated that the resetting of a response period would be entered upon the date the Restriction Requirement remailing took effect (See Exhibit 6).
- 6. On January 25, 2005, applicants filed a formal Status Inquiry (See Exhibit 5).
- The USPTO responded to the Status Inquiry and telephone status inquiry with a
 facsimile on April 4, 2005 providing a copy of a Notice of Abandonment and a
 Restriction Requirement dated July 23, 2004 (See Exhibit 6) that applicant, once
 again, did not receive.
- Applicant filed a Petition to Withdraw the "second" Holding of Abandonment in the USPTO on May 4, 2005 (See Exhibit 7).
- A Letter Resubmitting the May 4, 2005 Petition was subsequently filed on June 15, 2005 (See Exhibit 8).
- 10. A formal Status Inquiry was then filed on March 13, 2006 (See Exhibit 9).
- 11. A second formal Status Inquiry was filed again on May 22, 2009 (See Exhibit 10).
- 12. Decision on Petition to Withdraw the "second" Holding of Abandonment issued on July 30, 2009 (See Exhibit 11). The present Decision of grant did not specifically state "resetting of the period for response."
- 13. Applicant received a first non-final Office Action mailed on October 28, 2009 (See Exhibit 12). Ultimately, the restriction requirement was not upheld and therefore did not require a response from the applicant.

Applicant should be entitled to PTA for all of the days from 14 months from filing the present application, namely, March 17, 2003; until the first Office Action issued on October 28, 2009.

Applicant did not cause any delay in the prosecution of the present application.

Accordingly, the correct Patent Term Adjustment should be <u>2552 days</u> of prosecution delay (i.e., USPTO Delays of 6005 days less 193 Applicant Delays, minus 3,260 overlapping days, for a Total Patent Term Adjustment of 2552 days), for the failure of the USPTO to provide an Office Action in the present application.

COMPLIANCE WITH REQUIREMENTS OF 37 CFR § 1.705(b)(1) AND (2)

- 14. A statement of facts is presented above, detailing the relevant dates and the correct patent term adjustment.
- The present patent is not subject to any Terminal Disclaimer or any expiration date specified in a Terminal Disclaimer (§ 1.705(b)(2)(iii)).
- There were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of the above-identified application (§ 1.705(iv)(B)).

CONCLUSION

The USPTO is requested to correctly indicate that U.S. Application No. 10/046,739 is entitled to 2552 days of Patent Term Adjustment.

PAYMENT OF FEES

As set forth in the attached Fee Transmittal, the Commissioner is hereby authorized to charge the amount of \$200.00 to Deposit Account No. 02-2448 for the consideration of this Request as required by 37 C.F.R. § 1.18(e).

Application No.: 10/046,739 Docket No.: 3885-0102P
Request for Reconsideration of PTA filed May 7, 2010 Page 4 of 4

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: May 7, 2010 Respectfully submitted,

Ву

Andrew D. Meikle Registration No.: 32868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747 703-205-8000

Attachments



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandita, Virginia 22313-1450 www.uspio.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

2292 7590 03/15/2010 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 EXAMINER

NGO, NGAN V

ART UNIT PAPER NUMBER

2883

DATE MAILED: 03/15/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,739	01/17/2002	Hisashi Yamada	3885-0102P	2551
THEFT IS ON INDICATED AND IN	UDI TITAL ODILOGRAF WAS			-001

TITLE OF INVENTION: THIN-FILM CRYSTAL WAFER HAVING PN JUNCTION AND METHOD FOR FABRICATING THE WAFER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/15/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS DEBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 38 U.S.C. ISI. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an avivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after the payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenan FXHIRIT

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required) Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Paten, advance orders and notification of maintenance fees will be mailed to the current correspondence address as mink-and unless correspondence address are supported to the current below or directed otherwise is Block 1, but (s) specifying a new correspondence address are specified to provide a post-free Early DARESSS for the correspondence address are approached address are approached address are approached address and the specified are approached as a specified are a specified as a specified are approached as a specified as a specified are approached as a specified are approached as a specified as a specified as a specified as a

maintenance fee notifications.	
CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)	Note: A certificate of mailing can only be used for

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. 2292 7590 03/15/2010 Certificate of Mailing or Transmission

BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name) (Signature) Date

APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,739	01/17/2002		Hisashi Yamada		3885-0102P	2551
TITLE OF INVENTION	: THIN-FILM CRYST.	AL WAFER HAVING P	N JUNCTION AND METI	OD FOR FABRICA	ATING THE WAFER	
APPLN, TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE	FEE TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/15/2010
EXAM	IINER	ART UNIT	CLASS-SUBCLASS	1		
NGO, N	IGAN V	2893	257-187000	•		
1. Change of correspond CFR 1.363).	ence address or indication	n of "Fee Address" (37	2. For printing on the p			
	ondence address (or Cha B/122) attached.	nge of Correspondence	(1) the names of up to or agents OR, alternativ	3 registered patent	attorneys 1	
	B/122) attached. ication (or "Fee Address		(2) the name of a single registered attorney or a	e firm (having as a r	nember a 2	
PTO/SB/47; Rev 03-0 Number is required.)2 or more recent) attack	ed. Use of a Customer	2 registered attorney or a 2 registered patent attor listed, no name will be	meys or agents. If no printed.	oname is 3	
3. ASSIGNEE NAME A	ND RESIDENCE DATA	TO BE PRINTED ON	THE PATENT (print or typ	ne)		
					is identified below, the d	ocument has been filed fo
(A) NAME OF ASSI		netion of this form is NO	(B) RESIDENCE: (CITY			
(1)111112 01 11001	0.11212		(b) RESIDENCE. (CIT I	alla STATE OR CC	JONIKI)	
Please check the appropr	iate assignee category or	categories (will not be pr	rinted on the patent):	Individual 🚨 Corp	poration or other private gre	oup entity 🚨 Governmen
4a. The following fee(s)	are submitted:	41	b. Payment of Fee(s): (Plea	se first reannly any	previously paid issue fee	shown above)
☐ Issue Fee			A check is enclosed.			200112
	fo small entity discount p		Payment by credit care	d. Form PTO-2038 i	is attached,	
☐ Advance Order - 4	f of Copies		The Director is hereby overpayment, to Depos	authorized to charge sit Account Number	the required fee(s), any de	ficiency, or credit any n extra copy of this form).
5. Change in Entity Sta						
	s SMALL ENTITY state				ENTITY status. See 37 CI	
NOTE: The Issue Fee an interest as shown by the	d Publication Fee (if requeeords of the United Sta	ired) will not be accepted tes Patent and Trademark	d from anyone other than the Office.	e applicant; a registe	ered attorney or agent; or th	e assignee or other party is
Authorized Signature				Data		
This collection of inform an application. Confident	ation is required by 37 C	FR 1.311. The informatic	on is required to obtain or re	etain a benefit by the	public which is to file (and nutes to complete, includin ments on the amount of tir rademark Office, U.S. Depr SEND TO: Commissioner	by the USPTO to process)
submitting the completed	application form to the	USPTO. Time will vary	depending upon the indivi	dual case. Any com	ments on the amount of tir	ne you require to complete
Box 1450, Alexandria, V	irginia 22313-1450. DC	NOT SEND FEES OR O	COMPLETED FORMS TO	THIS ADDRESS	SEND TO: Commissioner	for Patents P.O. Box 1450

Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS AD Each 1879 (pignia 22313-1450) www.usuniop.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,739	01/17/2002	Hisashi Yamada	3885-0102P	2551
2292	7590 03/15/2010		EXAM	INER
	ART KOLASCH & B	RCH	NGO, N	JAN V
PO BOX 747	H, VA 22040-0747		ART UNIT	PAPER NUMBER
FALLS CHURC	n, va 22040-0747		2893	

DATE MAILED: 03/15/2010

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1443 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1443 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)	
	10/046,739	YAMADA ET AL.	
Notice of Allowability	Examiner	Art Unit	
	Ngan Ngo	2893	
The MAILING DATE of this communication appe All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATEN of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this a or other appropriate communicati GHTS. This application is subject	application. If not include on will be mailed in due	ed course THIS
 This communication is responsive to <u>the amendment filed</u>: 	<u>1/26/10</u> .		
2. The allowed claim(s) is/are 1-11.			
 Acknowledgment is made of a claim for foreign priority un a)	been received. been received in Application No.		tion from the
International Bureau (PCT Rule 17.2(a)).			
* Certified copies not received: Applicant has THREE MONTHS FROM THE *MAILING DATE* noted below. Failure to timely comply will result in ABANDONMI THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	ENT of this application.		
 A SUBSTITUTE OATH OR DECLARATION must be submit INFORMAL PATENT APPLICATION (PTO-152) which give 	tted. Note the attached EXAMINE s reason(s) why the oath or decla	R'S AMENDMENT or No ration is deficient.	OTICE OF
CORRECTED DRAWINGS (as "replacement sheets") must	t be submitted.		
(a) including changes required by the Notice of Draftsperso	on's Patent Drawing Review (PTC	0-948) attached	
 hereto or 2) to Paper No./Mail Date 			
(b) including changes required by the attached Examiner's Paper No./Mail Date	Amendment / Comment or in the	Office action of	
Identifying indicia such as the application number (see 37 CFR 1.8 each sheet. Replacement sheet(s) should be labeled as such in th	84(c)) should be written on the draw e header according to 37 CFR 1.12	rings in the front (not the I(d).	back) of
 DEPOSIT OF and/or INFORMATION about the depose attached Examiner's comment regarding REQUIREMENT F 	uit of BIOLOGICAL MATERIAL FOR THE DEPOSIT OF BIOLOGI	must be submitted. N CAL MATERIAL.	ote the
Attachment(s)			
1. Notice of References Cited (PTO-892)	Notice of Informal		
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Summar Paper No./Mail Da	ate	
 Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 	7. Examiner's Ameno	Iment/Comment	
 Examiner's Comment Regarding Requirement for Deposit of Biological Material 	8. Examiner's Statem	ent of Reasons for Allov	vance
	9. Other		
/Ngan Ngo/ Primary Examiner, Art Unit 2893			

10/046,739	THIN-FILM CRYS	STAL WAFER HAV HE WAFER	ING PN JUNCTION AND METHOD FO	R 04-19- 2010::13:46:09
Patent Ter	m Adjustments			
Patent Term	Adjustment (PTA) fo	or Application Num	ber: 10/046,739	
Filing or 371	(c) Date:	01-17-2002	USPTO Delay (PTO) Delay (days):	-
Issue Date o	f Patent:	-	Three Years:	-
Pre-Issue Pe	titions (days):	-	Applicant Delay (APPL) Delay (days):	-
Post-Issue Pe	etitions (days):	-	Total PTA (days):	1443
USPTO Adjus	tment(days):	-	Explanation Of Calculations	
Patent Terr	n Adjustment H	istory		
Date	Contents Descr	iption	PTO(Days) APPL(Days)
03-15-2010	Mail Notice of All	owance	(, .	, , , , , ,
03-10-2010	Notice of Allowar	nce Data Verificatio	on Completed	
03-10-2010		Examiner in GAU	•	*
03-10-2010	Document Verific	cation		•
02-23-2010	Date Forwarded	to Examiner		
01-26-2010	Response after N	on-Final Action		
10-28-2009	Electronic Review	,		
10-28-2009	Email Notification	1		
10-28-2009	Mail Non-Final Re	ejection	144	3
10-26-2009	Non-Final Rejecti	on		•
10-13-2009	Case Docketed to	Examiner in GAU		
01-17-2002	Information Discl	osure Statement c	onsidered	•
10-06-2009	Date Forwarded t	o Examiner	1	•
07-15-2005	Response to Elect	tion / Restriction F	iled	•
10-08-2009	Mail Notice of Res	scinded Abandonm	ent	
10-06-2009	Notice of Rescind	ed Abandonment i	n TCs	
10-02-2009	Case Docketed to	Examiner in GAU		
05-22-2009	Miscellaneous Inc	oming Letter		
03-13-2006	Miscellaneous Inc	oming Letter		
01-25-2005	Miscellaneous Inc	oming Letter		
08-01-2009	Email Notification			
07-30-2009	Mail-Petition to Re	evive Application -	Granted	
07-29-2009	Petition to Revive	Application - Gran	ted	
05-04-2005	Petition Entered			
01-17-2002	Information Disclo	sure Statement (I	DS) Filed	
04-08-2005	Mail Abandonmen	t for Failure to Res	pond to Office Action	
04-06-2005	Aband. for Failure	to Respond to O.	A.	
07-23-2004	Mail Notice of Res	tarted Response Pe	eriod	
07-23-2004	Letter Restarting I References)	Period for Respons		
07-23-2004	Mail Notice of Res	cinded Abandonme	EXHIBIT 2	

07-23-2004	Notice of Rescinded Abandonment in TCs
07-22-2004	Mail-Petition to Revive Application - Granted
08-20-2003	Petition Entered
11-24-2003	Request for Refund
02-26-2004	File Marked Found
01-16-2004	File Marked Lost
07-28-2003	Mail Abandonment for Failure to Respond to Office Action
07-25-2003	Aband. for Failure to Respond to O. A.
11-20-2002	Mail Restriction Requirement
11-18-2002	Requirement for Restriction / Election
08-25-2002	Receipt of all Acknowledgement Letters
01-17-2002	Request for Foreign Priority (Priority Papers May Be Included)
01-17-2002	Information Disclosure Statement (IDS) Filed
01-17-2002	Information Disclosure Statement (IDS) Filed
05-09-2002	Case Docketed to Examiner in GAU
05-02-2002	Application Dispatched from OIPE
05-01-2002	Application Is Now Complete
04-12-2002	Additional Application Filing Fees
04-12-2002	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic
02-14-2002	Referred by L&R for Third-Level Security Review. Agency Referral Letter Generated
02-07-2002	IFW Scan & PACR Auto Security Review
01-26-2002	IFW Scan & PACR Auto Security Review
01-17-2002	Initial Exam Team nn

Close Window





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
Post 140
Alexandra, Vigitis 22313-1450
www.acapto.gov

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/046,739 01/17/2002 Hisashi Yamada 3885-Q1017 2551 IUZP 07/28/2003 BIRCH STEWART KOLASCH & BIRCH EXAMINER PO BOX 747 TRINH, HOA B FALLS CHURCH, VA 22040-0747 ART UNIT PAPER NUMBER 2814

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceedings



	Application No.	Applicant(s)	
Notice of Abandonment	10/046,739	YAMADA ET AL.	
Notice of Abandonment	Examiner	Art Unit	
	Vikki H Trinh	2814	
The MAILING DATE of this communication	n appears on the cover sheet w	ith the correspondence add	ress
This application is abandoned in view of:			
	e of Mailing or Transmission date ne of month(s)) which expi	d), which is after the ex red on	•
(b) A proposed reply was received on, but it			
(A proper reply under 37 CFR 1.113 to a final rej application in condition for allowance; (2) a timel Continued Examination (RCE) in compliance with	y filed Notice of Appeal (with appe	ly filed amendment which plac eal fee); or (3) a timely filed Re	es the equest for
(c) ☐ A reply was received on but it does not confinal rejection. See 37 CFR 1.85(a) and 1.111.	onstitute a proper reply, or a bona (See explanation in box 7 below).	fide attempt at a proper reply,	to the non-
(d) ⊠ No reply has been received.			
Applicant's failure to timely pay the required issue fe from the mailing date of the Notice of Allowance (PT	「OL-85).		
 (a) The issue fee and publication fee, if applicable 	e, was received on (with a ory period for payment of the issu	Certificate of Mailing or Tran e fee (and publication fee) set	in the Notice of
(b) ☐ The submitted fee of \$ is insufficient. A be			
The issue fee required by 37 CFR 1.18 is \$		ed by 37 CFR 1.18(d), is \$	
(c) The issue fee and publication fee, if applicable, h	nas not been received.		
 Applicant's failure to timely file corrected drawings as Allowability (PTO-37). 			
(a) ☐ Proposed corrected drawings were received on _ after the expiration of the period for reply.	(with a Certificate of Mailing	g or Transmission dated	_), which is
(b) No corrected drawings have been received.			
The letter of express abandonment which is signed to the applicants.	by the attorney or agent of record	the assignee of the entire into	erest, or all of
 The letter of express abandonment which is signed to 1.34(a)) upon the filing of a continuing application. 	by an attorney or agent (acting in	a representative capacity unde	er 37 CFR
 The decision by the Board of Patent Appeals and Int of the decision has expired and there are no allowed 	terference rendered on and claims.	because the period for seekir	g court review
7. The reason(s) below:	, /		
	Warm	. *	,
	SU.	1.11	
	TLJ		

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

We heart and Trainant Office PTC-1432 (Rev. 04-01)

Notice of Abandonment Part of Paper No. 7

August 20, 2003

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hisashi YAMADA et al. Conf.: 2551

Appl. No.: 10/046,739 Group: 2814

Filed: January 17, 2002 Examiner: H. TRINH

For: THIN-FILM CRYSTAL WAFER HAVING PN

JUNCTION AND METHOD FOR FABRICATING THE

WAFER

PETITION UNDER 37 C.F.R. § 1.181
TO WITHDRAW THE HOLDING OF ABANDONMENT

MS PETITION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir.

In response to the Notice of Abandonment dated July 28, 2003, applicant hereby respectfully petitions under the provisions of 37 C.F.R. § 1.181 and MPEP § 711.03(c) for a decision to withdraw the holding of abandonment due to failure to receive an Office Action.

The Notice of Abandonment dated July 28, 2003 indicates that this application was abandoned in view of the applicant's failure to respond to an Office Action mailed on November 20, 2002. However, this Office Action was never received by the offices of the undersigned, and a search of the file jacket for the present application and the firm docketing records reveals that the Office Action of November 20, 2002 was never received. The



Appl. No. 10/046,739

offices of the undersigned did not become aware of the Office Action until advised of the holding of abandonment.

The fact that the Office Action of November 20, 2002 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP is evidenced by Exhibits I, II, and III attached hereto.

Exhibit I is a copy of the front page of the file jacket of Appl. No. 10/046,739 (which corresponds to Attorney Docket No. 3885-0102P). It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petitions Examiner will note, there is no entry for the Office Action dated November 20, 2002 on the front page of the file jacket of the above-referenced application.

Exhibit II is a copy of the computer-generated daily docket sheet of Birch, Stewart, Kolasch & Birch, LLP for the date of February 20, 2003 (the due date for said Office Action), containing entries made by our Docketing Department of due dates in response to PTO actions. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO into our computer docketing system.

Although Application Numbers, Titles, Client Names, and Inventor Names have been redacted from this Exhibit to avoid public disclosure of these matters once the present application is patented, it is still clear that there is no entry for the due date of February 20, 2003 which corresponds to the current application, Attorney Docket No. 3885-0102P

Exhibit III is a copy of the manual docket book of Birch, Stewart, Kolasch & Birch, LLP for the due date of February 20, 2003. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO into our manual docketing book.

Although Application Numbers and Inventors Names have been redacted from this exhibit to avoid public disclosure of these matters once the present application is patented, there is no entry for the due date for the above-referenced Attorney Docket No. 3885-0102P.

The undersigned certifies that he has reviewed the computergenerated daily docket sheets and the manual docket book for the due date of February 20, 2003 and did not locate an entry that corresponds to Appl. No. 10/046,739 to inventors Hisashi YAMADA et al.

In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with mailing of an Office Action since the Office Action dated November 20, 2002 was never received in the offices of Birch, Stewart, Kolasch and Birch. The present Petition is timely filed for this purpose.

Since the above-mentioned Office Action was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this Petition. In

Appl. No. 10/046,739

the event that a petition fee is deemed necessary by the USPTO, it is respectfully requested that the fee of \$130.00 as set forth in 37 C.F.R. § 1.17(h)(1) be charged to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

P.O. Box 747

(703) 205-8000

Andrew D. Meikle, #32,868 Falls Church, VA 22040-0747

ADM/csm 3885-0102P

Attachment(s)

(Rev. 04/30/03)

Papers Filed herewith on: Aug. 20, 2003 DOCKET NO. 3885-CHOOPATTY APPLICANT(S): YAMAOA etal. APPLN NO: 10/046,739 FILED: 1-17-02 PAT NO.: New Application with Transmittal Letter ☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional Filing Under 37 CFR 1.53(b) CONT CONT ☐ DIV Filing Under 3/ CFR 1.53(d) (CPA) Filing Under 37 CFR 1.114(RCE) DOCKET NO Specification Consisting of:_ Combined Declaration & Power of Attorney Assignment / Cover Letter Letter to Official Draftsman ☐ Drawings ____ Sheets ☐ Formal ☐ Informal ☐ Red-Ink Completion of Filing Requirements, PCT/DO/EO/905 or Formalities Letter and Executed Declaration Priority Document(s) / Cover Letter, No. Doc. Amendment: ☐ Transmti Ltr ☐ Large Entity ☐ Small Entity ☐ Response_ ☐ Information Discl Stmnt. PTO-1449(s) Notice of Appeal Appeal Brief ☐ Issue Fee Transmittal ☐ FEES Jetter Fabilities to Nithhan Holder John Cognal 2-20-03 Jork & Copy of File jacket covy Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case. COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 28-03 Handcarry:

a water interferentiations, Willes the William

	NEW CASI	NEW CASES DUE: 4-20-53
Attorney	Docket Number	Description
JAK	229-6661	SHEESE FRIT LLSTELDING SOF
-		
*		
	-	

BIRCH, STEWART, KOLASCH & BIRCH, LLP

		ENTITY(FILED)		
	- ACT ACT	AL VOLUME(S)		
	SUPPLEMENTAL VOLUME(S)			
Noboru Au ka	CHI	ARA, Masahiko HATA.		
		Z. letter I da N MIST		
APER HAVI	Us,	PN JUNCTION AND METT		
MED	JUI 1.	DRWGS, NO. OF SHEETS 3 (A4)		
	ŦÜ	JUN /		
CALL-UP		RESPONSES		
		Asia 12 2007 ADM		
April 25,2	<u>co.</u> 2	H, 111 12, 2006		
		1		
		PARENT/OFFSPRING		
7	_			
1 001 177				
co. jud.				
	PIECE HAVII PIECE SIMED ACUI-OURI	FILED: Jan. MED ACU-019143 CALL-UP April 25, 2002		

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hisashi YAMADA et al. Conf.: 2551

Appl. No.: 10/046,739 Group: 2814

Filed: January 17, 2002 Examiner: H. TRINH

For: THIN-FILM CRYSTAL WAFER HAVING PN

JUNCTION AND METHOD FOR FABRICATING THE

WAFER

SECOND SUBMISSION OF PETITION UNDER 37 C.F.R. § 1.181 TO WITHDRAW THE HOLDING OF ABANDONMENT

MS PETITION
Handcarry: Crystal Plaza 4
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOV 25 2009

Sir:

In response to the Notice of Abandonment dated July 28, 2003, applicant hereby respectfully submits for the second time a petition under the provisions of 37 C.F.R. § 1.181 and MPEP § 711.03(c) for a decision to withdraw the holding of abandonment due to failure to receive an Office Action.

The Notice of Abandonment dated July 28, 2003 indicates that this application was abandoned in view of the applicant's failure to respond to an Office Action mailed on November 20, 2002. However, this Office Action was never received by the offices of the undersigned, and a search of the file jacket for the present application and the firm docketing records reveals that the Office Action of November 20, 2002 was never received. The



offices of the undersigned did not become aware of the Office Action until advised of the holding of abandonment.

The fact that the Office Action of November 20, 2002 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP is evidenced by Exhibits I, II, and III attached hereto.

Exhibit I is a copy of the front page of the file jacket of Appl. No. 10/046,739 (which corresponds to Attorney Docket No. 3885-0102P). It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petitions Examiner will note, there is no entry for the Office Action dated November 20, 2002 on the front page of the file jacket of the above-referenced application.

Exhibit II is a copy of the computer-generated daily docket sheet of Birch, Stewart, Kolasch & Birch, LLP for the date of February 20, 2003 (the due date for said Office Action), containing entries made by our Docketing Department of due dates in response to PTO actions. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO into our computer docketing system.

Although Application Numbers, Titles, Client Names, and Inventor Names have been redacted from this Exhibit to avoid public disclosure of these matters once the present application is patented, it is still clear that there is no entry for the due date of February 20, 2003 which corresponds to the current application, Attorney Docket No. 3885-0102P.

Exhibit III is a copy of the manual docket book of Birch, Stewart, Kolasch & Birch, LLP for the due date of February 20, 2003. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO into our manual docketing book.

Although Application Numbers and Inventors Names have been redacted from this exhibit to avoid public disclosure of these matters once the present application is patented, there is no entry for the due date for the above-referenced Attorney Docket No. 3885-0102P.

The undersigned certifies that he has reviewed the computergenerated daily docket sheets and the manual docket book for the due date of February 20, 2003 and did not locate an entry that corresponds to Appl. No. 10/046,739 to inventors Hisashi YAMADA et al.

Also enclosed is a date-stamped receipt of our first submission of this Petition and evidence to the USPTO.

In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with mailing of an Office Action since the Office Action dated November 20, 2002 was never received in the offices of Birch, Stewart, Kolasch and Birch. The present Petition is timely filed for this purpose.

Appl. No. 10/046,739

Since the above-mentioned Office Action was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this Petition.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Andrew D. Meikle, #32,868

P.O. Box 747
Falls Church, VA 22040-0747

(703) 205-8000

ADM/csm

3885-0102P

Attachment(s)

(Rev. 04/30/03)

4



3885-1028

COMMISSIONER FOR PATENT UNITED STATES PATENT AND TRADEMARK OFFIC P.O. BOX I 450 ALEXANDRIA, VA 22313-1450

Paper No.

Andrew D. Meikle BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747

JUL 2 2 2004

In re Application of:
Yamada, et al.
Application No. 10/046,739
Filed: January 17, 2002
For: THIN-FILM CRYSTAL WAFER
HAVING PN JUNCTION AND
METHOD FOR FABRICATING THE

DECISION ON PETITION TO WITHDRAW HOLDING OF ABANDONMENT

This is a decision on the petition filed on August 20, 2003, to withdraw the holding of abandonment of the above-identified application. A petition fee is not required.

The petition is granted.

WAFER

Petitioner asserts that the Office action of November 20, 2002, was not received. The petition included a statement from the practitioner that the undersigned made a complete search of the file jacket and docketing records to establish non-receipt of the Office action. In addition, the petition included a copy of the docket records of the practitioner where the non-received Office action would have been entered had it been received by the practitioner.

A review of the written record indicates no irregularity in the mailing of the Office action, and in the absence of any irregularity there is a strong presumption that the Office action was properly mailed to practitioner at the address of record. This presumption may be overcome by a showing that the Office action was not in fact received. The showing required to establish the failure to receive an Office action must include a statement from the practitioner stating that the Office action was not received. A copy of the docket record where the non-received Office action was not received. A copy of the docket record where the non-received Office action would have been entered to entered to and referenced in practitioner's statement. See "Withdrawing the Holding of Abandonment When Office Actions Are Not Received" 115 Office (222-2008) (November 16, 1993) and M.P.E.P. '711.03(c).

The petition satisfies the above-stated requirements. Accordingly, the application was not abandoned in fact.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for re-mailing of the November 20, 2002, Office action. The statutory periods for response set therein will be reset to run three months from the date the Office action is re-mailed.

The \$130.00 petition fee charged to applicant's account will be credited to applicant's deposit account no. 02-2448.

Inquiries regarding this decision should be directed to Lissi Mojica Marquis at (571) 272-1596.

Sharon A. Gibson, Director Technology Center 2800

Semiconductors, Electrical and Optical

Systems and Components

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hisashi YAMADA et al. Conf.:

Conf.: 2551

Appl. No.:

10/046,739

Group: 2814

Filed:

rirca

January 17, 2002

Examiner: HOA B. TRINH

For:

THIN-FILM CRYSTAL WAFER HAVING PN

JUNCTION AND METHOD FOR FABRICATING THE

WAFER

STATUS INQUIRY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 JAN 2.5 2005

Sir:

Please advise the undersigned as to the status of the above-identified application as follows:

Status of Office Action

A duplicate copy of the present Status Inquiry is attached hereto. It is respectfully requested that the duplicate copy be marked appropriately to indicate the status of the above-identified application and returned to the undersigned as soon as possible.

Please call the undersigned if there are any questions with regard to the present request.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _______Andrew D. Meikle, #32,868

	Indiew D. Heikie, #52,0	00
ADM/bsh 3885-01021	P.O. Box 747 Falls Church, VA 22040-074 (703) 205-8000	17
	Awaiting Action from Patent Office Examiner Date for Action is:	- Expected
	Awaiting Decision by Board of Appeals.	
	Application allowed on	EXHIBIT
	Abandoned per	7
П	Other	





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.uspłogov

Fax Cover Sheet

Date: 04 Apr 2005

To: Mr. Andrew Meikle	From: Vikki H. Trinh Art Unit: 2814 Phone No.: 571-272-1719		
Application/Control Number: 0/046,739			
Fax No.: 703-205-8050			
Voice No.: (703) 205-8000	Return Fax No.: (571) 273-1719		
Re:	CC:		
Urgent For Review For Comment	For Reply Per Your Request		

Comments:

Enclosed is a copy of a new Notice of Abandonment, which will be sent to you, and a copy of the Office Action sent on JUly 23, 2004.



Number of pages __ in: luding this page

STATEMENT OF CONFIDENTIALITY

This facsimile transmission is a i Official U.S. Government document which may contain information which is privileged and confidential. It is intended only or use of the recipient named above. If you are not the intended recipient, any dissemination, distribution or copying of this cocument is strictly prohibited. If this document is received in error, you are requested to immediately notify the sender at the above indicated telephone number and return the entire document in an envelope addressed to:

Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450



	Application No.	Applicant(s)				
	10/046,739	YAMADA ET AL				
Notice of Abandonment	Examiner	Art Unit				
	Vikki H. Trinh	2814				
The MAILING DATE of this communication ap	pears on the cover sheet with the c	orrespondence ac	idress			
This application is abandoned in view of:						
⊠ Applicant's failure to timely file a pr yer reply to the Offile (a) ☐ A reply was received on, with a Certificate of period for reply (including a total extension of time of the property	Mailing or Transmission dated month(s)) which expired on), which is after the				
(b) A proposed reply was received on but it does	s not constitute a proper reply under 3	7 CFR 1.113 (a) to	the tinal rejection.			
(A proper reply under 37 CFR 1 113 to a final rejection application in condition for alloy ance; (2) a timely file Continued Examination (RCE) in compliance with 37	ed Notice of Appeal (with appeal ree); CFR 1.114).	or (3) a limely med	request for			
(c) ☐ A reply was received on but it does not const final rejection. See 37 CFR 1.8 5(a) and 1.111. (See	(c) A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.8 3(a) and 1.111. (See explanation in box 7 below).					
(d) No reply has been received.						
Applicant's failure to timely pay the required issue fee a from the mailing date of the Notice of Allowance (PTOL)						
(a) The issue fee and publication fee, if applicable, w	ne received on (with a Certific	ate of Mailing or T nd publication fee)	ransmission dated set in the Notice o			
(b) ☐ The submitted fee of \$is insufficient. A balan	ce of \$ is due.					
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$						
(c) ☐ The issue fee and publication 1 ≥e, if applicable, has	not been received.					
Applicant's failure to timely file cor ected drawings as re Allowability (PTO-37).						
(a) ☐ Proposed corrected drawings vere received on after the expiration of the peric d for reply.	(with a Certificate of Mailing or Tra	nsmission dated), which is			
(b) ☐ No corrected drawings have b∋en received.						
The letter of express abandonme it which is signed by the applicants.	the attorney or agent of record, the as	signee of the entire	interest, or all of			
5. The letter of express abandonme it which is signed by 1.34(a)) upon the filing of a contir uing application.	an attorney or agent (acting in a repre	sentative capacity	under 37 CFR			
6. ☐ The decision by the Board of Pat :nt Appeals and Interform of the decision has expired and tl:ere are no allowed cl	ference rendered on and becau aims.	use the period for se	eeking court reviev			
7. ☑ The reason(s) below.						
There was no reply to the Office Action sent on Jureceived in the file after six months from the date	uly 23, 2004. A status of inquiry frof the Office Action.	om the attorney o	f record was			
Petitions to revive under 37 CFR 1.137(a) if (b), or requests to with minimize any negative effects on patent te m.	draw the holding of abandonment under 3	7 CFR 1.181, should b	pe promptly filed to			

U.S Patent and Trademark Office PTOL-1432 (Rev. 04-01)



United State: Patent and Trademark Office



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1430 Alexandris, Vigilia 22313-1459 **2**003

Γ	APPLICATION NO.	FILING	ATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
_	10/046,739	01/17/	302	Hisashi Yamada	"3885-Q101P ""	2551	
	2292	7590)7/23/2004		EXA	ANER	
BIRCH STEWART KOI ASCH & BIRCH				& BIRCH	TRINH, HOA B		
	PO BOX 747 FALLS CHU	RCH, VA 2	040-074	7	ART UNIT	PAPER NUMBER	
					2814		

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

				1		
	Application No.		Applicant(s)	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
	10/046,739		YAMADA ET AL.			
Office Action Summary	Examiner		Art Unit			
	Vikki H Trinh		2814			
The MAILING DATE of this communication	on appears on the cover s	heet with the	correspondence add	ress		
Period for Reply A SHORTENED STATUTOF Y PERIOD FOR THE MAILING DATE OF THIS COMMUNICAT THE MAILING DATE OF THIS COMMUNICAT and STATE OF THIS COMMUNICAT I start SIX (9) MONTH'S from the mailt y date of the providence of this communication I the period for reply repectified above. It is management when the period of the period for reply the specified does to. It for management when the period of the pe	JON. CFR 1.136(a). In no event, however flon, s, a repty within the statutory minim	ır, may a reply be t ıum of thirty (30) de	imely filed sys will be considered timely.	Transnication,		
 Responsive to communication(s) filed of 						
	This action is non-fine					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims						
4) ☐ Claim(s) 1-11 is/are pending in the appl						
4a) Of the above claim (s) is/are w	rithdrawn from consideral	ion.				
5) Claim(s) is/are allowed.						
6) Claim(s) Is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) 1-11 are subject to restriction a	ind/or election requireme	nt.				
Application Papers						
9) The specification is objected to by the Ex			inor			
10) The drawing(s) filed on is/are: a)	_ accepted or b) objecte	to by the Ex	Con 27 CED 1 85/a)			
Applicant may not request that any objection	on to the drawing(s) be need	in abeyance.	see of UFR 1.00(a).	ar .		
11) The proposed drawing correction filed on	I IS; a) approved	north meabt	noved by the Countin			
If approved, corrected drawings are require		011.				
12) The oath or declaration is objected to by	Die Examiner.					
Priority under 35 U.S.C. §§ 1' 9 and 120	6in- exicely under 25	1187 8 110	(a)-(d) or (f)			
13)⊠ Acknowledgment is r rade of a claim for	Toreign priority under 33	0.0.0. 8 110	(a) (a) or (i).			
a)⊠ All b)□ Some * ı)□ None of:		und				
 Certified copies of the priority doc Certified copies of the priority doc 	Juments have been recei	ved. ved in Annlic	ation No			
2. Certified copies of the priority doc	uments have been recei	ve boon room	wad in this National	Stane		
Copies of the certified copies of the application from the internation See the attached detailed Office action for the control of the certified action for the cer	onal Bureau (PC1 Rule 1 or a list of the certified co	7.2(a)). pies not recei	ved.			
14) Acknowledgment is made of a claim for d	lomestic priority under 35	U.S.C. § 11	9(e) (to a provisiona	application).		
 a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 						
Attachment(s)		•				
1) Notice of References Cited (PT 3-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-3) Information Disclosure Statems nt(s) (PTO-1449) Paper	948) 5 🔲	Notice of Inform	ary (PTO-413) Paper No al Patent Application (PT			

Application/Control Nt mber: 10/046,739

Art Unit: 2814

Page 2

DETAILED ACTION

Flection/Restrictions

- Restriction to c ne of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-5, drawn to a device, classified in class 257, subclass 565.
 - II. Claims 5-11, drawn to a method, classified in class 438, subclass 500+.

The inventions are dis inct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other an I materially different product or (2) that the product as claimed can be made by another and naterially different process (MPEP § 806.05(f)). In the instant case the method can be used to make by another materially different product such as an LED display device.
- Because these inventions are distinct for the reasons given above and have acquired a
 separate status in the urt as shown by their different classification, restriction for examination
 purposes as indicated is proper.

Applicant is a divised that the reply to this requirement to be complete must include an election of the invent on to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is 1 eminded that upon the cancellation of claims to a non-elected invention, the inventorship must bε amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

Page 3

Application/Control N1 mber: 10/046,739

Art Unit: 2814

application. Any amen Iment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry coacerning this communication or earlier communications from the Examiner should be directed to Vikki Trinh whose telephone number is (703) 308-8238. The Examiner can normall to be reached Mon-Tuesday, Thurs-Friday, 7:30 AM - 6:00 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Wael sahmy, can be reached at (703) 308-4918. General inquiries relating to the status of this application should be directed to the Group receptionist at (703) 308-0858. The fax number is (703) 308-708.

Vikki Trinh, Patent Examiner

November 17, 2002

May 4, 2005

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hisashi YAMADA et al. Conf.: 2551

Appl. No.: 10/046,739 Group: 2814

Filed: January 17, 2002 Examiner: H. TRINH

For: THIN-FILM CRYSTAL WAFER HAVING pn

JUNCTION AND METHOD FOR FABRICATING THE

WAFER

PETITION UNDER 37 C.F.R. § 1.181 TO WITHDRAW THE HOLDING OF ABANDONMENT

MS PETITION Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment dated April 4, 2005, applicant hereby respectfully petitions under the provisions of 37 C.F.R. § 1.181 and MPEP § 711.03(c) for a decision to withdraw the holding of abandonment due to failure to receive an Office Action.

The Notice of Abandonment dated April 4, 2005, indicates that this application was abandoned in view of the applicant's failure to respond to an Office Action dated July 23, 2004.

However, this Office Action was never received by the offices of the undersigned, and a search of the file jacket for the present application and the firm docketing records reveals that the Office Action of July 23, 2004 was never received. The offices of the undersigned did not become aware of the Office Action until advised of the holding of abandonment.

EVIDENCE

The fact that the Office Action of July 23, 2004 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP is evidenced by Exhibits I and II attached hereto.

Exhibit I is a copy of the front page of the file jacket of Appl. No. 10/046,739 (which corresponds to Attorney Docket No. 3885-0102P). It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petitions Examiner will note, there is no entry for the Office Action dated July 23, 2004 on the front page of the file jacket of the above-referenced application.

Exhibit II is a copy of the computer-generated daily docket sheet(s) of Birch, Stewart, Kolasch & Birch, LLP for the date of August 21, 2004 through August 23, 2004 (the due date for said Office Action), containing entries made by our Docketing Department of due dates in response to PTO actions. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO into our computer docketing system.

Although Application Numbers, and Client Names, have been redacted from this Exhibit to avoid public disclosure of these matters once the present application is patented, it is still clear that there is no entry for the due date of August 23, 2004 which corresponds to the current application, Attorney Docket No. 3885-0102P.

The undersigned certifies that he has reviewed the computer-generated daily docket sheets for the due date of August 23, 2004 and did not locate an entry that corresponds to Appl. No. 10/046,739 to inventors Hisashi YAMADA et al..

TERMINAL DISCLAIMER

- The present application was filed on or after May 29, 2000. Accordingly, no Terminal Disclaimer is necessary. It is noted that the present Petition is being timely filed within two (2) months of the mailing date of the Notice of Abandonment. Accordingly, no reduction in patent term adjustment should be made, in accordance with the provisions of 37 C.F.R. § 1.704(c)(4).
- ☐ The present application was filed on or after June 8, 1995 but before May 29, 2000. The present Petition is being timely filed within two (2) months of the mailing date of the Notice of Abandonment. Accordingly, no Terminal Disclaimer under 37 C.F.R. § 1.321(a) is necessary. See MPEP § 711.03(c).
- The present application was filed on or after June 8, 1995 but before May 29, 2000. The present Petition is being filed more than two (2) months from the mailing date of the Notice of Abandonment. Accordingly, a Terminal Disclaimer under 37 C.F.R. § 1.321(a) and the required fee set forth in 37 C.F.R. § 1.20(d) are being submitted concurrently herewith. The period being disclaimed is equivalent to the period between (1) the date that is two months after the mail date of the

notice of abandonment and (2) the filing date of the present petition to withdraw the holding of abandonment. See MPEP \$ 711.03(c).

In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with mailing of an Office Action since the Office Action dated July 23, 2004 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP. The present Petition is timely filed for this purpose.

Since the above-mentioned Office Action was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this Petition.

Previous Petition Granted

Also enclosed is a Decision on Petition dated July 22, 2004, which granted a previous Petition to Withdraw Holding of Abandonment filed originally on August 20, 2003. Again, the reason was that the Office Action was not received. It is not understood why this is the case. However, it is noted that the most recent cover sheet for the Notice of Abandonment and Office Action which was faxed on April 4, 2005, includes a "white streak" which appears to remove one of the digits from the zip code of the address. Perhaps this has prevented the document from being delivered to our offices. As a final note, we receive about 40 pieces of mail from the USPTO each day, and we have not had any problems like the present situation in which the failure to receive a piece of mail occurred a second time.

Enclosed Reply to Office Action

Since applicants have now received via facsimile the Office Action, i.e., the Restriction Requirement, a Reply to Restriction Requirement has been prepared and is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Andrew D. Meikke, #3

ADM: gmh

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments:

Exhibit I - Copy of File Jacket Exhibit II - Copy of Docket Sheet Copy of Decision on Petition Copy of Office Action Reply to Restriction Requirement



PATENT NO. _

RESPONSES

BIRCH, STEWART, KOLASCH & BIRCH, LLP

MONTHLY BILLED CLIENT _____ NO CLIENT COPIES CONFIRMATION NO.: 2557

INVENTOR HISASHI YAMADA NUDUTU PUKUHARA MASULIKO HATA.

THE THIN FILM CRISTAL WARRE HAVING AN JUNCTION AND METITAL FOR FABRICATING THE WAFER APPLICATION NO. 10 046, 739 FILED: Jun 17, 2012

PRIORITY CLAIMED VID. 17,2002 RECLAIMED 6 0 XU-019143

PTO ACTIONS

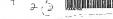
DRWGS. NO. OF SHEETS 3 (A4)

CALL-UP

Pertent Filma 139 2002 Arril 12,2002 8-20-05 Notice of ABandon Petition to Withdra Notice of Spand. 11-11-65 Restriction 5.4.05

FILED IN PTO_APICIL, 184, 2002 TO SUMITIMO CHINUTAL CO., LTD.

RECORDED 4/12/06 REEL/2/784 FRAME(S) 794



3885-0102P

10/046,739

M. THERMOTASICIATES

AUM			6-24-04	Title: GOLF BALL Remarks: Notice of Abandonment mailed 6-24-04	Neida d	
	29-May-1997	1	PENDING AOYAMA & PARTNERS	0020-4230 / United States of America	PWA NORW ABAND	23-Aug-2004 Final
ADM ADM	22-Jun-2004		Pending OKA & PARTNERS ING A TRAJECTORY	3673-0180/1 Pending United States of America OKA & PARTNEH Title: APPARATUS FOR MEASURING A TRAJECTORY	IDS Reminder Information Disclosure Sunn	22-Aug-2004 Reminder
ADM ADM	21-Jun-2004	ţ	Pending OKA & PARTNERS THOD	3673-0179/1 Pe United States of America OI Title: TIRE PROFILE DESIGN METHOD	IDS Reminder Information Discussive Stunit	21-Aug-2004 Reminder
ADM ADM	21-May-2004 ADM ADM	H	Pending OKA & PARTNERS	3673-0176 / 1 United States of America Title: MOLD FOR GOLF BALL	Information Disclosure Strant NO (845 Tid	21-Aug-2004 Due Date
JTE ADM	22-Jun-2001	1	0630-2009 / 2 Pending United States of America Park, Kin & Partner United States of America Park, Kin & Partner United States of Park Park 4-26-04 Msr. per PAIR 4-26-04	0630-2009 / 2 United States of America Title: PLASMA POLYMERIZATIO Remarks: per PAIR 4-26-04	END X TEND Rema	21-Aug-2004 FIRST AN Due Date oaf! Slow Pay - See Managing Partner
ADM ADM	14-Nov-2002	•	Published Naemura & Co. EAD	0229-0726 / United States of America Title: IRON-TYPE GOLF CLUB HEAD	ENDMENT	21-Aug-2004 FIRST AN Due Date OAF1 Slow Pay - See Managing Partner
ADM ADA	23-May-2002	1	Published Naemura & Co.	0229-0697 / United States of America Title: PNEUMATIC TIRE Remarks: OA MAILED 6/21/04	GS OT	21-Aug-2004 DRAWIN Reminder OA/DR Slow Pay - See Managing Partner
ADM	11-Dec-2003	1	Published AOYAMA & PARTNERS F BALL	MEIKLE 0020-5206 / Pu United States of America A(Title: MULTI-PIECE SOLID GOLF BALL	torney(Attorney2): ADM ANDREW D. MEIKLE M FIRST AMEND X OAFI OAFI Title: MUI	21-Aug-2004 Due Date
Page: 37 Other Attys	Pa App Date Iss Date	App Number Pat Number	st By Floor 5 Aug-2004 Status Client	21-Aug_2004 To 22- Docket Number/SubCase Status Country Client	SUR 201, 2004 SUR Action Due Action Type	EXHIBIT Of O44, 739

Floor: 5th	20,2004	Due Date List By Floor 21-Aug 2004 To 23-4	st By Floor 23-Aug-2004		Pa	Page: 38
Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other
23-Aug-2004 Reminder	IDS Reminder Information Disclosure Simm	0229-0811/1 United States of America Title: RAW TIRE FORMING APPA	0229-4811 / 1 Pending United States of America Naemura & Co. Title: RAW TIRE FORMING APPARATUS AND RAW TIRE FORMING METHOD	МЕТНОВ	23-Jun-2004	ADM ADM
Slow Pay - See Managing Partner	anaging Partner					
23-Aug-2004 Reminder	PERFECT FILING PF	0229-0815 / 1 United States of America Title: ARCHITECTURAL STRUCTURE	Pending Naemura & Co. URE	•	23-Jul-2004	ADM ADM
Slow Pay - See Managing Partner	anaging Partner					
23-Aug-2004 Reminder	PERFECT FILING PF	0229-0816 / 1 Pending United States of America Naemura & Co. Title: METHOD OF SIMULATING VISCOELASTIC MATERIAL	Pending Naemura & Co. VISCOELASTIC MATERIAL	J	23-Jul-2004	ADM ADM
Slow Pay - See Managing Partner	anaging Partner					
23-Aug-2004	SUE FEE-2 D.	0760-0309 /	Published	1	30-May-2002	ADM
Keminder	Ren	United States of America Tanigawa & Associates Title: AGENT FOR IMPROVING LEARNING AND/OR MEMORY Remarks: PUB FEE	Tanigawa & Associates EARNING AND/OR MEMORY			ADM
23-Aug-2004 Due Date	RESTRICT REQ	3673-0155/ Pending United States of America OKA & PARTNERS Title: GOLF BALL AND GOLF BALL MANUFACTURING METHOD	Pending OKA & PARTNERS LL MANUFACTURING METHOD	1	25-Jul-2003	ADM ADM
23-Aug-2004 Due Date	IDS-2 WEEK IDS-2WK AT (Ren	3885-0107/ United States of America United States of America Title: EPITAXIAL SUBSTRATE FO FOR PRODUCING THE SAM urks: Fax re: UK Search Report and o	3885-01077 Published 08-Jul-20 United States of America M. TAKANO & ASSOCIATES Title: PETTAXIAL SUBSTRATE-FOR COMPOUND SEMICONDUCTOR LIGHT-EMITTING DEVICE, METHOD FOR PRODUCING THE SAME AND LIGHT-EMITTING DEVICE METHOD FOR PRODUCING THE SAME AND LIGHT-EMITTING DEVICE METHOD FOR PRODUCING THE SAME AND LIGHT-EMITTING DEVICE METHOD FOR PRODUCING THE SAME AND LIGHT-EMITTING DEVICE, METHOD FOR PRODUCING THE SAME AND LIGHT-EMITTING DEVICE.	LIGHT-EMITTING DEVICE	08-Jul-2003 E, METHOD	ADM ADM
Action Attorne 23-Aug-2004 Reminder	Action Attorney(Attorney2): DRM DAVID R. MURPHY 23-Aug-2004 ISSUE FEE-2 DAYS 0 Reminder IF \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	JRPHY 0171-0912 / United States of America	Published Kojima Patent Office	t	19-Nov-2002	GMM
	1000	Remarks: PUB FEE				

Action Attorney(Attorney2): ETP EUGENE T. PEREZ

Action Due				ON OF PROVISIONAL	Remarks: FILE ENGLISH TRANSLATION OF PROVISIONAL	Ren	
Docket Number/SubCase Status App Number App Date	GMM		UG DEPENDENCE	AOYAMA & PARTNERS DSITION FOR TREATMENT OF DR	United States of America Title: PHARMACEUTICAL COMPO		Final
Docket Number/SubCase Status App Number App Date r Action Due	GMM		į	Abandoned	0020-5119/	TRANSLATION	22-Aug-2004
Booket Number/SubCase Refron Due Action Due Action Type Country Docket Number/SubCase Client Par Number Status Parking Per Country Docket Number/SubCase Status App Number App Number Iss Date Client Park Number Status App Number App Date Client App Number App			•	ENOME IN HIGHER PLANT REQUIREMENTS MAILED 6/21/04	Title: METHOD OF MODIFYING G narks: NOTICE TO COMPLY WITH SEQUENCE LISTING DUE	ART Ren	
Action Due Action Due Action Due Action Type Country Docket Number/SubCase Client Essue FEE-LAST DAY If 2870-0182 / Duited States of America Remarks; PUB FEE NOA NOA SISA & Co. Title: PAPLING FILTER FOR CHLORINATERIAL Remarks; PUB FLITER FOR CHLORINATED ORGANIC COMPOUNDS FINAL United States of America ICHIKAWA TOKKYO IIMUSHO Title: SAMPLING FILTER FOR CHLORINATED ORGANIC COMPOUNDS FINAL United States of America FURUY A & CO. Title: POWDER DISPERSANT FOR HYDRAULIC COMPOUNDS 22-Jul-2002 FINAL United States of America FURUY A & CO. Title: POWDER DISPERSANT FOR HYDRAULIC COMPOSITIONS 2 WEEK CALL-UP United States of America United States of America Published OA/2WK United States of America Published CATALYST COMPOINT FOR ADDITION POLYMERIZATION, PROCESS FOR PRODUCING CATALYST COMPOINT FOR ADDITION POLYMERIZATION, PROCESS FOR PRODUCING CATALYST COMPOINT FOR ADDITION PROCESS FOR PRODUC	GMN			YUASA AND HARA	United States of America	SR)	Due Date
Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 1382-0103 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS 22-Jul-2002 / Title: SAMPLING FILTER FOR CHLORIANTED ORGANIC COMPOUNDS	GMM			Pending	0230-0213 /	SEQUENCE REQ	21-Aug-2004
Title: PAMPLING FILTER FOR CHLORINATED ORGANIC COMPOUNDS Title: POWDER DISTRANCE CHLORINATE DORGANIC COMPOUNDS 1382-0103 Paulised States of America CHLORINATED ORGANIC COMPOUNDS 22-Jul-2002 Paulised States of America CHLORINATED ORGANIC COMPOUNDS 2382-0103 Paulised States of America CHLORINATED ORGANIC COMPOUNDS 22-Jul-2002 Paulised Charles CHLORING FILTER FOR CHLORINATED ORGANIC COMPOUNDS 22-Jul-2002 Paulised CHLORING FILTER FOR CHLORINATED ORGANIC COMPOUNDS 23-Jul-2002 Paulised CHLORING FILTER FOR CHLORINATED ORGANIC COMPOUNDS 23-Jul-2002 Paulised CHLORING FILTER FOR FILTER FOR CHLORING FILTER F					MURPHY, JR.	y(Attorney2): GMM GERALD M.	Action Attorney
Title: SAMPLING FILTER FOR CHLORINATED ORGANIC COMPOUNDS PINAL 1004 INSUE FEELAST DAY IF 1004 INSUE FEELAST DAY IF 1005 IF 1006 INSUE FEELAST DAY IF 1006 INSUE FEELAST DAY IF 1007 INTERMOGRAPHIC MATERIAL Remarks: PUB FEIE 1006 INSUE FEELAST DAY INTERMOGRAPHIC MATERIAL Remarks: PUB FEIE 1007 INTERMOGRAPHIC MATERIAL INTERMOGRAPHI						maging Partner	low Pay - See Mai
## Action Due		OTTION	N, PROCESS FOR PRODUC SS FOR PRODUCING ADD	OR ADDITION POLYMERIZATION PROCES	Title: CATALYST COMPONENT FO CATALYST FOR ADDITION POLYMER	1100	
## Action Due	ETP			Topon, on the same	United States of America		Keminder
Action Due	RCS	- 1	1	Published	2185-0664 /	£	22-Aug-2004
Action Due Action Due Action Type Country Docket Number/SubCase Client ISSUE FEELAST DAY Direct States Title: PHOTOTHERMOGRAPHIC MATERIAL Remarks: PUB FEE NOA NOA NOA NOA Title: SAMPLING FLITER FOR CHLORINATED ORGANIC COMPOUNDS FINAL United States of America JSS2-0103/ Title: SAMPLING FLITER FOR CHLORINATED ORGANIC COMPOUNDS FINAL United States of America Title: SAMPLING FLITER FOR CHLORINATED ORGANIC COMPOUNDS FINAL Title: SAMPLING FLITER FOR CHLORINATED ORGANIC COMPOUNDS Title: SAMPLING FLITER FOR CHLORINATED ORGANIC COMPOUNDS FINAL OAST-0.0064.1 Panding The App Plate	ETP			FURUYA & CO. HYDRAULIC COMPOSITIONS	United States of America Title: POWDER DISPERSANT FOR	Information Disclosure Strant	Reminder
Action Due		- 1		Pending	0425-0866 / 3	IDS Reminder	22-Aug-2004
Action Due Action Type Action Type Country Docket Number/SubCase App Number App Date Pal Number Iss Date SSUE FEE-LAST DAY United States of America IF Remarks: PUB FEE NOA 3382-0103 / United States of America United States of America ICHIKAWA TOKKYO JIMUSHO Title: SAMPLING PILTER FOR CHLORINATED ORGANIC COMPOUNDS	ADN ETP	22-Jul-2002	NDS	Published ICHIKAWA TOKKYO JIMUSH LORINATED ORGANIC COMPOU	3382-0103 / United States of America Title: SAMPLING FILTER FOR CH	FINAL STORY	21-Aug-2004 Due Date
Action Due Action Type Action Type Action Type Action Type Country Country Country Country Country Published ESSUE FEE-LAST DAY United States of America Fig. Title: PHOTOTHERMOGRAPHIC MATERAL Remarks: PUB FEE NOA 3382-01031 Published 22-Jul-2002	ETP		NDS	LORINATED ORGANIC COMPOU	Title: SAMPLING FILTER FOR CH	5	Due Date
Action Due Action Type Action Type LISSUE FEE-LAST DAY United States of America LISSUE FEE-LAST DAY United States of America LISSUE FEE-LAST DAY United States of America LISSUE FEE-LAST DAY United States of America LISSUE FEE LISSUE FEE App Number App Date App Date App Date 29-Mar-2002 App Number App Date App Date 29-Mar-2002	ADN	22-Jul-2002	•	Published	3382-0103 /	NOA	21-Aug-2004
Action Due Action Type Action Type Country Docket Number/SubCase Client SISUE FEE-LAST DAY United States of America United States of America SISLA & Co. IF Title: PHOTOTHERMOGRAPHI MATERIAL Title: PHOTOTHERMOGRAPHI MATERIAL					narks: PUB FEE	Re	
23-Ang-2004 Tri 23-Ang-2004 Tri 23-Ang-2004 App Number App Date Action Due Action Type Country Client Pat Number Iss Date Iss USUE FEL-AST DAY 2370-01821 Published 270-01821 Client Client 270-01821 Client	EIF			MATERIAL	Title: PHOTOTHERMOGRAPHIC!	1	
Action Due Docket Number/SubCase Status App Number App Date Action Type Country Client Pat Number Iss Date	MSW)	Published	2870-0182 /	ISSUE FEE-LAST DAY	21-Aug-2004 Final
21 Aug-2008 - 176 - 17 22-Aug-2004	Othe Atty:		App Number Pat Number	Status Client	Docket Number/SubCase Country	Action Type	Due Date Indicator
				23-Ang-2004	21-Aug-2004 Ta		Floor: 5th

GMM	23-Sep-2003	1	Pending	4951-0102 / 1 United States of America Title: PREPARATION METHOD	CONVERT PROV-1 Month-call-up File Application	23-Aug-2004 Reminder
GMM	23-Sep-2003	İ	Pending	4951-0102 / 1 United States of America Title: PREPARATION METHOD	1	23-Aug-2004 Reminder
GMM	23-Sep-2003		Pending	4951-0101 / 1 United States of America Title: PREPARATION METHOD	Foreign Filing-1Month Foreign Filing	23-Aug-2004 Reminder
GMM	23-Sep-2003	1	Pending	4951-0101 / 1 United States of America Title: PREPARATION METHOD	CONVERT PROV-1 Month call-up File Application	23-Aug-2004 Reminder
GMM	14-Apr-2004	ALER	Pending URING A METERED DOSE INHA eet 6/25/04, 7/2/04, 7/9/04, 8/9/04	2801-0184 / 2 Pending United States of America Title: PROCESS FOR MANUFACTURING A METERED DOSE INHALER Remarks: per dats 4/14/04, 6/14, per d sheet 6/25/04, 7/2/04, 7/9/04, 8/9/04	1 Md Rem	23-Aug-2004 IDS Due Date IDS2 Slow Pay - See Managing Partner
GMM	27-Feb-2003	DRUG DEPENDENCE	Abandoned AOYAMA & PARTNERS SSITION FOR TREATMENT OF ON OF PROVISIONAL	0020-5119/ Abandoned United States of America AOYAMA & PARTNERS Title: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF DRUG DEPENDENCE Remarks: FILE ENGLISH TRANSLATION OF PROVISIONAL Remarks: 6-25-04,7/16	TRANSLATION TRAN Rem	23-Aug-2004 Final
GMM	22-Oct-2003	ł	Pending SIKs & Co.	2870-0269 / United States of America Title: T CELL ACTIVATING GENE	TRANSLATION-6MONTH TRAN NHC	22-Aug-2004 Reminder
GMM	22-Jun-2004	TERIAL	Pending Kojima Patent Office ID UNDERCOAT-FORMING MA	0171-1118/1 Pending United States of America Kojima Patent Office Title: PATTERNING PROCESS AND UNDERCOAT-FORMING MATERIAL	IDS Reminder Information Disciplant Simmt	22-Aug-2004 Reminder
Other	App Date Iss Date	App Number Pat Number	Status Client	Docket Number/SubCase Country	Action Type	Due Date Indicator
Page: 40	Pa		st By Floor 23-Aug-2004	Due Date List By Floor 21-Aug-2004 to 23-Au	20,2004	Friday, August 20, 2004

Due Date Action Due Action Due Action Type App Number 23-Aug-2004 Foreign Filing IMount CONVERT PROV-1 Mount call-ung 24951-0103 / 1 Tule: PREPARATION METHOD Action Attorney(Attorney2): JWB JOHN W. BAILEY 1-1-Aug-2004 Action Attorney(Attorney2): JWB JOHN W. BAILEY 1-1-Aug-2004 Action Attorney(Attorney2): JWB JOHN W. BAILEY Due Date Action Attorney(Attorney2): JWB JOHN W. BAILEY 1-1-Aug-2004 Action Attorney(Attorney2): JWB JOHN W. BAILEY Tule: PREPARATION METHOD Action Attorney(Attorney2): JWB JOHN W. BAILEY PENDING Action Attorney(Attorney2): JWB JOHN W. BAILEY PENDING Action Attorney(Attorney2): JWB JOHN W. BAILEY PENDING Action Attorney(Attorney2): JWB JOHN W. BAILEY Assume Pending Assume Pe
Action Due or Action Type 2004 Foreign Filing-I-Month 2004 CONVERT PROV-1 Month call-up or File Application File Application OAFI Actionney(Attorney2): JWB JOHN W. BA ACTIONNEY FIRST AMENOTE XTEN 2004 FIRST AMENOTE XTEN 2004 ISSUE FEE-1 MONTH IF
Action Due or Action Type 2004 Foreign Filing-I-Month 2004 CONVERT PROV-I Month calcul r File Application File Application Attorney(Attorney2): JWB JOHN W. B. 2004 FIRST AMENDEXTEX AttorneyCationney2): JWB JOHN W. B. 2004 FIRST AMENDEXTEX OAFI PERFECT FILING FF FF AMENDMENT XX OAI OAI AMENDMENT XX OAI OAI OAI OAI OAI OAI OAI O
Action Due Ochet Number/SubCase Ochet Action Type Ochet Action Type Ochet Number/SubCase Ochet Foreign Filing-IMonth Foreign Filing-IMonth Foreign Filing-IMonth Ochet Foreign Filing-IMonth File PREPARATION METHOD ASSI-10103 / 1 Title: PREPARATION METHOD AND ISSUE FEEL MONTH IF IF IF IF IF IF IF IF IF I
Docket Number/SubCase Country 4951-0103 / 1 United States of America Title: PREPARATION METHOD REOV-1 Month call-up A951-0103 / 1 PREVALENTON METHOD Title: PREPARATION METHOD United States of America Title: NON-CONTACT IC MODULE MONTH O649-4815/ United States of America Title: RESIN COMPOSITION Remarks: PUB FEE ING O425-1124/1 United States of America Title: RESIN COMPOSITION Remarks: PUB FEE ARMACS: NOTICE TO FILE MISSING PAR ARMACS: NOTICE TO FILE MISSING PAR OATH OR DECLARATION DIE
Docket Number/SubCase Country 4951-0103 / 1 United States of America Title: PREPARATION METHOD MOV.1 Month carl-up 4951-0103 / 1 United States of America Title: PREPARATION METHOD WWB JOHN W. BAILEY DEXTEND 0152-0549 / United States of America Title: NON-CONT-ACT IC MODULE MONTH MORTH G649-0815 / United States of America Title: RESIN COMPOSITION Remarks: PUB FEE O425-1124 / 1 O425-1
Docket Number/SubCase Country 4951-01007 /1 United States of America Title: PREPARATION METHOD ROV-1 Momb call-up 4951-01007 /1 PROV-1 Momb call-up 4951-01007 /1 On Title: PREPARATION METHOD 1901-1902-1902 /1 On Title: PREPARATION METHOD WB JOHN W. BAILEY United States of America Title: NON-CONTACT IC MODULE 0649-0815 / United States of America Title: RESIN COMPOSITION Remarks: PUB FEE ING 0425-1124/1 United States of America Title: RESIN COMPOSITION Remarks: PUB FEE ING 0425-1124/1 United States of America
Docket Number/SubCase Country 4951-0103 / 1 United States of America Title: PREPARATION METHOD REOV-I Month call-up A951-0103 / 1 4951-0103 / 1 Title: PREPARATION METHOD REOV-I Month call-up Title: PREPARATION METHOD United States of America Title: NON-CONTACT IC MODULE MONTH United States of America Title: NON-CONTACT IC MODULE MONTH United States of America Title: RESIN COMPOSITION Remarks: PUB FEE
Docket Number/SubCase Country 4951-0100 / 1 United Sunes of America Title: PREPARATION METHOD PREPARATION METHOD Title: PREPARATION METHOD United Sunes of America Title: NON-COMPTACTIC MODULE MONTH United Sunes of America Title: PREPARATION METHOD MONTH United Sunes of America
Action Due Action Type To Action Type 4951-0103 / 1 United States of America Title: PREPARATION METHOD Title: PREPARATION METHOD Title: PREPARATION METHOD Attorney(Attorney2); JWB JOHN W. BAILEY ACTIONACONTACT IC MODULE THE INDEPENDENT TITLE: WOO-CONTACT IC MODULE TH
Action Type Action Type Country Foreign Filing Foreign Filing Foreign Filing Tute: PREFARATION METHOD CONVEKT PROV-1 Month call-un File Application File Application File Application File Application JULIER FIRST AMENDEXTEND JULIER FIRST AMENDEXTEND JULIER FIRST AMENDEXTEND JULIER Title: NON-CONTACT IC MODULE Title: NON-CONTACT IC MODULE
Action Due Ocoket Number/SubCase Country Total Foreign Filing-IMonth Foreign Filing-IMonth CONVERT PROV-I Month call-up CONVERT PROV-I Month call-up CONVERT PROV-I Month call-up Tittle: PREPARATION METHOD Tittle: PREPARATION METHOD A051-0103 / 1 Tittle: PREPARATION METHOD A051-0103 / 1 Tittle: PREPARATION METHOD Attorney(Attorney2): JWB JOHN W. BAILEY United States of America OAF!
oo4 Convert Provide and call of the Application File Application File Application
Action Due Action Type O44 Foreign Filing-IMonth Foreign Filing-IMonth Foreign Filing-IMonth Foreign Filing O451-0103 / 1 United States of America Title: PREPARATION METHOD Title: PREPARATION METHOD
Action Due Action Type Oo4 Foreign Filing-IMonth Foreign Filing-IMonth Oo4 Foreign Filing-IMonth Foreign Filing-IMonth Title: PREPARATION METHOD OO5 OONVERT PROV-1 Month call-up OONVERT PROV-1 Month call-up OO5 OONVERT PROV-1 Month call-up OO
Action Due Action Type Action Due Action Type Act
Action Due Docket Number/SubCase r Action Type Country 004 Foreign Filing-1Month 4951-01031.7 Foreign Filing United States of America
Action Due Docket Number/SubCase Action Type Country

23-Aug-2004 Due Date	Final	21-Aug-2004 Reminder	Action Attorn 21-Aug-2004 Due Date	23-Aug-2004 Final	23-Aug-2004 Final	22-Aug-2004 Final	22-Aug-2004 Final	Due Date Indicator	Friday, August 20, 2004 Floor: 8th
OAFI EXTEN	3 8	Sill of	Action Attorney(Attorney2): KLR KRISTI L. RUPERR 214-Aug-2004 IDS Due Due i IDSI THE N Remarks: S	OAI Filing	DRAWINGS XXX OA/DR	OAI FILO	DRAWINGS XXX OA/DR	Action Due Action Type	ust 20, 3004
EXTENDING O020-4764 / PENDING United States of America AOYAMA & PARTINERS AOYAMA & PARTINERS TO PLANTS	0020-4546 / ERNDING United Smars of America AOYAMA & PARTINES Title: NOVEL SEMAPHORIN GENE: SEMAPHORIN W Remarks: FILE DIVISIONAL per fax dated 7-23-04, per dms 8/18/04	0475-0215/ Published O475-0215/ Published Alitz & Partner United States of America Alitz & Partner Title: POLYMERIZABLE COMPOSITIONS BASED ON EPOXIDES	L. RUPERT 020-5172 Pending United States of America AOYAMA & PARTNERS Title: METHOD FOR IN VITRO CULTURE OF LYMPHOCYTES AN THERAPY Remarks: Supp EP Search Report and refs rec'd 8-11-04 (SR mailed 7-22-04)	0020-4925 / United States of America Title: GOLF BALL	0020-4925 / United States of America Fille: GOLF BALL Remarks: oa mailed 2/23/04	0020-4925 / United States of America Title: GOLF BALL	X 0020-4925/ United States of America United States of America Remarks: on mailed 2723/04	Docket Number/SubCase Country	Due Date Eist By Floor- 21-Aug-2004 To 23-A
PENDING AOYAMA & PARTNERS SISTANCE TO WEED CONTROL CO.	PENDING AOYAMA & PARTNERS AOYAMA & PARTNERS SEMAPHORIN W aied 7-23-04, per dms 8/18/04	Published Abitz & Partner SITIONS BASED ON EPOXIDES	IPERT 0020-5172 Pending 25-Aug United States of America AOYAMA & PARTNERS Title: METHOD FOR IN VITRO CULTURE OF LYMPHOCYTES AND COMPOSITION FOR USE IN IMAUNIE units: Supp EP Search Report and refs recid 8-11-04 (SR mailed 7-22-04)	Published AOYAMA & PARTNERS	Published AOYAMA & PARTNERS	Published AOYAMA & PARTNERS	Published AOYAMA & PARTINERS	e Status Client	ist-By Floor 24-Aug-2004
MPOUNDS TO PLANTS	İ	Í	COMPOSITION FOR USE IT	ţ	Å	1	•	App Number Pat Number	
27-Oct-2000	09-Jun-1999	18-Mar-2003	25-Aug-2003 N IMMUNE	14-Nov-2001	14-Nov-2001	14-Nov-2001	14-Nov-2001	App Date Iss Date	P
GMM KLR	DRN	ADM KLR	ADM KLR	ADM KJR	ADM KJR	ADM KJR		Other	Page: 42

Friday, August 20, 2004 Elon: 5th	20, 2004	Due Date List By Floor 21-Aug-2004 To 23-	tBy Flogr 23-Aug-2004	1	Pag	Page-43
Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number / Pat Number I	App Date Iss Date	Other
23-Aug-2004	IDS	0760-0290 /	PENDING		ау-2001	GMM
Due Date	IDS2	United States of America	Tanigawa & Associates			KLR
	さら	Title: NUCLEIC ACID FRAGMENT FOR PROMOTING EXPRESS	Title: NUCLEIC ACID FRAGMENTS, RECOMBINANT VECTORS CONTAINING THE SAME AND METHOD FOR PROMOTING EXPRESSION OF STRUCTURAL GENES USING THE SAME	AINING THE SAME AND I	METHOD	
		Remarks: Supp EP Search Report and refs rec'd 8-2-04 (SR mailed 6-I4-04), per d sheet 8/16/04	s rec'd 8-2-04 (SR mailed 6-I 4-04), per c	d sheet 8/16/04		
23-Aug-2004	NOA XX	1422-0493 /	PENDING		26-Sep-2001	WSW
Due Date	NOA X	United States of America Title: CERAMIDASE GENE	HOSODA INTERNATIONAL PATENT OFFICE	1	(KLR
23-Aug-2004 Due Date	RESPONSE	1422-0541 / United States of America	Pending HOSODA INTERNATIONAL	-	03-Jul-2002	MSW
	Date of the	Title: METHOD FOR EFFECTING SITE-DIRECTED MUTAGENESIS	ITE-DIRECTED MUTAGENESIS			
	7	Remarks: Interview Summary mailed 7-23-04 STATEMENT OF THE SUBSTANCE OF THE INTERVIEW	ANCE OF THE INTERVIEW			
23-Aug-2004	NOA XXX	2520-0120/	PENDING		05-Feb-2001	JWB
Final	NOA	United States of America	Hirose Patent Office			KLR
Slow Pay - See Managing Partner	naging Partner	ille: i refarations for admit	THE TREFARATIONS FOR ADMINISTRATION OF REPAIDCY IE GROWTH FACTOR	WTH FACTOR		
23-Aug-2004	FINAL XXX	2520-0120 /	PENDING	1	05-Feb-2001	JWB
Final	さい	United States of America Title: PREPARATIONS FOR ADMI	United States of America Hirose Patent Office Title: PREPARATIONS FOR ADMINISTRATION OF HEPATOCYTE GROWTH FACTOR	WTH FACTOR		KLR
Slow Pay - See Managing Partner	naging Partner					
23-Aug-2004 Due Date	FINAL XX		Pending	1	26-Feb-1997	GMM
Duc Date		4 1962	UNITED STATES OF ADDRESS OF THE VECTOR OF THE STATE THAT THE SEQUENCE REASON MUTICATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA	SUE FOR DIAGNOSIS OR		KLR
23-Aug-2004	NOA XX	2962-0120 /	Pending		26-Feb-1997	GMM
Due Date	NOA	United States of America				KLR !
		PROGNOSIS OF THE NEOPLASIA	THE: SEQUENCE BASED MUTATION ANALYSIS OF NEOPLASTIC TISSUE FOR DIAGNOSIS OR PROGNOSIS OF THE NEOPLASIA	SUE FOR DIAGNOSIS OR		

Action Attorney(Attorney2): KR

KALPANA REDDY

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other
21-Aug-2004	DRAWINGS-1 MONTH	0365-0502 /	Published	•	27-Apr-2001	LRS
Reminder	DR3	United States of America Seppo Laine Oy Title: METHOD AND DEVICE FOR MODIFYING THE IRRADIANCE DISTRIBUTION OF A RADIATION SOURCE	Seppo Laine Oy R MODIFYING THE IRRADIAN	CE DISTRIBUTION OF A RA	DIATION	Ş
21-Aug-2004 Reminder	ISSUE FEE-1 MONTH	0365-0502/ Published 27. United States of America Suppo Laine Oy Title: NETHOD AND DEVICE FOR MODIFYING THE IRRADIANCE DISTRIBUTION OF A RADIATION SOURCE.	Published Seppo Laine Oy R MODIFYING THE IRRADIAN	CE DISTRIBUTION OF A RA	27-Apr-2001 DIATION	LRS
		Remarks: PUB FEE				
22-Aug-2004	NOA XXX	0365-0538 /	Published	•	19-Aug-2002	
Final	NOA	United States of America Seppo Laine Oy Title: PROPYLENE POLYMERS WITH AN ULTRA HIGH MELT FLOW RATE	Seppo Laine Oy 7TH AN ULTRA HIGH MELT F	LOW RATE		Ş
22-Aug-2004	NOA X	0365-0546 /	Published	1	30-Sep-2002	LRS
Duc Dan	NON	Title: PROCESS FOR PRODUCING A POLYETHYLENE COATING ON A SUBSTRATE Remarks: Advisory Action mailed 8/12/04	3 A POLYETHYLENE COATING	ON A SUBSTRATE		Ž
23-Aug-2004	AMENDMENT XX	0147-0215 /	Pending	j	23-Feb-2001	LRS
Due Date	OAI	United States of America VOSSIUS & PARTINER The: TRANSGENIC PLANTS WITH A MODIFIED ACTIVITY OF A PLASTIDIAL ADPIATP TRANSLOCATOR	VOSSIUS & PARTNER H A MODIFIED ACTIVITY OF	A PLASTIDIAL ADP/ATP TR	ANSLOCATOR	Ş
Slow Pay - See Managing Partner	naging Partner					
23-Aug-2004	NOA XXX	0365-0538 /	Published	1	19-Aug-2002	LRS
Final	NOA	United States of America Seppo Laine Oy Title: PROPYLENE POLYMERS WITH AN ULTRA HIGH MELT FLOW RATE	Seppo Laine Oy TTH AN ULTRA HIGH MELT F	LOW RATE		Ş
23-Aug-2004	TO BE FILED ACTUAL-LAST DAY		PENDING	1	30-Apr-2001	LRS
Final	TBFA	United States of America PLOUGMANN & VINGTOFT A/S Title: BINDER SYSTEMS DERIVED FROM AMORPHOUS SILICA AND BASES	PLOUGMANN & VINGTOFT A/S D FROM AMORPHOUS SILICA AND	T A/S AND BASES		ξ
Slow Pay - See Managing Partner	naging Partner	Remarks: FILE CONTINUATION per e-mail dated 8-19-04	mail dated 8-19-04			

ate List By Floor

Friday, August 20, 2004	20, 2004	Due Date List By Floor	st By Floor		Pa	Page: 45
Floor: 5th.		21-Aug-2004 Te	o 23-Aug-2004			a d
Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number	App Date	Other
23-Aug-2004	CONVERT PROV-1 Month call-up	2750-1577 /	Pending		23-Sen-2003	I DS
Reminder	File Application	United States of America Tile: Promoter Promoter Control Flements and Combinations and tiese Thomas	lements and Combinations and I	Toda Thereof	2000	SWG
Slow Pay - See Managing Partner	anaging Partner		control and Complimations, and	Same Literact		
23-Aug-2004 Reminder	Foreign Filing-1Month Foreign Filing	2750-1577 / United States of America	Pending	•	23-Sep-2003	LRS
		Title: Promoter, Promoter Control Elements, and Combinations, and Uses Thereof	lements, and Combinations, and U	Jses Thereof		owo
Slow Pay - See Managing Partner	anaging Partner					
23-Aug-2004	Foreign Filing-1Month	2750-1578 /	Pending		23-Sen-2003	LRS
Reminder	Foreign Filing	United States of America			- Coop #000	SWG
		Title: Nucleotide Sequences and Polypeptides Encoded Thereby Useful for Modifying Plant Characteristics	ypeptides Encoded Thereby Usefi	il for Modifying Plant Characteristic	¥.	
Slow Pay - See Managing Partner	maging Partner					
23-Aug-2004	CONVERT PROV-1 Month call-up	2750-1578 /	Pending		23-Sen-2003	281
Reminder	File Application	United States of America	f			SWG
		Title: Nucleotide Sequences and Polypeptides Encoded Thereby Useful for Modifying Plant Characteristics	peptides Encoded Thereby Usefu	d for Modifying Plant Characteristic	čá.	
Slow Pay - See Managing Partner	naging Partner					
Action Attorney(Attorney2):	/(Attorney2): MAA MARYANNE ARMSTRONG	E ARMSTRONG				
21-Aug-2004	Information Disclosure Strant	2428-0120 / 2	Pending		21-May-2004	GMM
Due Date	るとち	United States of America Title: GENETIC TRANSFORMATION USNING A PARP INHIBITOR	ON USNING A PARP INHIBITO	Ä		MAA
22-Aug-2004	CALL UP	0234-0441 /	Published		04-Feb-2002	WSW
Reminder	CU	United States of America	lida Patent Office			MAA
	3	Title: 1H-PYRROLO-[1,2-B][1,2,4]TRIAZOLE COMPOUND AND ITS SYNTHETIC INTERMEDIATE, AND METHOD OF PREPARING A 1H-1,2, 4-TRIAZOLE-S, VI., A CETIC A CID EXTER COMPOUND.	TRIAZOLE COMPOUND AND I	IH-PYRROLO-[1,2-B)[1,2,4]TRIAZOLE COMPOUND AND ITS SYNTHETIC INTERMEDIATE METHOD OF PREPARNIG A 1H-1,2,4-TRIAZOLE-5-VL-A CETIC ACID ESTRE COMBOTING	E, AND	į
Slow Pay - See Managing Partner		Remarks: Check on PD ack per Sam 7/26/04	/04			
22-Aug-2004 Reminder	IDS Reminder Information Disclosure Strant	3749-0103 / 1 United States of America	Pending	•	22-Jun-2004	MAA
	1.1	Title: METHOD OF CONSTRUCTING CHIMERIC PLANT BY HEAVY ION BEAM IRRADIATION	NG CHIMERIC PLANT BY HEA	VY ION BEAM IRRADIATION		10000

THOOL SHE	このでは、これには、日本のでは、これでは、これでは、これでは、これでは、これでは、これでは、これでは、これ		かっとなることには、これには、これによることのできないのできない。	月 日本 日本 日本 日本 日本 日本 日本 日本 日本 日本 日本 日本 日本		The second second
Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
23-Aug-2004 Reminder	CONVERT PROV-I Month call-up File Application	p 2959-0106 / Pending United States of America COLD HYBRIDIZATION PROBES	Pending LEIC ACID HYBRIDIZATION PROF		p-2003	CG
23-Aug-2004 Reminder	Foreign Filing-1Month Foreign Filing	2939-0106 / Pending United States of America Title: TANDEM POLYMERUC NUCLEIC ACID HYBRIDIZATION PROBES	Pending Pending LEIC ACID HYBRIDIZATION PROF	SES S	23-Sep-2003	CG
23-Aug-2004 Due Date	NOA XX	Jó?2-0111 / Pending United States of America Title: A MEANS FOR ELECTRICAL CONTACTING OR ISOLATION OF ORGANIC OR INORGANIC BEBMICONDUCTORS AUG. METHOD FOR ITS Remarks: Advisory Action mailed 77:204	Pending CONTACTING OR ISOLATION OF METHOD FOR ITS	ORGANIC OR INORGANIC	08-Jun-2001	MKM MAA
23-Aug-2004 RENEWE Reminder Roman Pay - See Managing Partner	D PETITION	4565-0106/ United States of America Title::::::::::::::::::::::::::::::::::::	Pending MBDATIONS FOR THE TREATIME 136(a)	NT OF TUMOURS THAT O	3-Oct-2003	MAA CG
Action Attorney 22-Aug-2004 Reminder	Attorney2): RCS PERFECT FILING APPE	RAYMOND C. STEWART 0446-0166 / 1 United States of America Title: DESULFURISATION OF FUEL	Pending: Davies Collison Cave	1	22-Jul-2004	RCS
23-Aug-2004 PER	PERFECT FILING	0446-0167 / 1 Pending United States of America Davies Collison Cave Title: A METHOD OF PRODUCING AN ANTICOAGULATION EFFECT	Pending Davies Collison Cave AN ANTICOAGULATION EFFECT	1	23-Jul-2004	RCS
Action Attorney(Attorney2): 21-Aug-2004 NOAX Due Date NOA	RG RG	RICHARD J. GALLAGHER 0171-0902/ United States of America Rojima Patent Office Title: PHOTO-CURABLE RESIN COMPOSITION, PATTERNING PROCESS, AND SUBSTRATE PROTECTING	Published Kojima Patent Office MPOSITION, PATTERNING PROCI	ESS, AND SUBSTRATE PRO	2002	GMM

		1	ted 7-21-04	Remarks: FILE DIVISIONAL per fax dated 7-21-04	1000 1500 1 (Ren	60
RG			FURUYA & CO. BAG AND AID BAG ADDAD ATTIS	United States of America	A STATE OF THE STA	Due Date
RCS	06-May-2002		Published	0425-0911/	TO BE FILED	23-Aug-2004
				Remarks: DIV?	Ren	
į		FROM USED PAPER	S FOR PREPARING PAPER PULP I	Title: METHOD AND APPARATUS FOR PREPARING PAPER PULP FROM USED PAPER	-	
RG		-		United States of America	3	Reminder
RCS	21-Aug-2002 RCS		Pending	0249-0123 /	ISSUE FEE-1 MONTH	23-Aug-2004
				Remarks: PUB FEE	Ren	
	EBURRING	SK DRIVE, METHOD OF D E COMPONENT	YOKE COMPONENT, AND VOICE COIL MOTOR USING YOKE COMPONENT	THE: TOKE COMPONENT, AND VOICE COIL MOTOR USING YOKE COMPONENT YOKE COMPONENT, AND VOICE COIL MOTOR USING YOKE COMPONENT	-	
RG			Kojima Patent Office	United States of America	7	Keminder
GMM	25-Apr-2002	ł	Published	0171-0845 /	ISSUE FEE-2 DAYS	23-Aug-2004
ā				Title: HYBRID INFLATOR		
5			FURUYA & CO.	United States of America	7	Reminder
TCB	13-Jun-2001	j	Pending	0425-0842 /	ISSUE FEE-1 MONTH	21-Aug-2004
1	ATOR	DGING CHARGE OF INFL	PPARATUS AND METHOD OF JU	Title: INFLATOR PROCESSING APPARATUS AND METHOD OF JUDGING CHARGE OF INFLATOR	7	
RG.			FURUYA & CO.	United States of America	OAI	Due Date
RCS	14-Jun-2000		Pending	0425-0763 /	AMENDMENT X	21-Aug-2004
à	AL USING	ENT OF DOPAMINE SIGNA	ON'S DISEASE AND ENHANCEMI	$\emph{Tide:} TREATMENT OF PARKINSON'S DISEASE AND ENHANCEMENT OF DOPAMINE SIGNAL USING PDEIO INHIBITOR$	مهرامه	
P.C.		1	Tsukuni & Associates	United States of America	tran	Reminder
RCS	21-Jul-2003		CONVERTED	0283-0176 /	TRANSLATION-3MONTH	21-Aug-2004
			04	Remarks: FILE RCE per fax dated 8-19-04	Re	
	PROTECTING	OCESS, AND SUBSTRATE	COMPOSITION, PATTERNING PRO	FILM	7	
RG			Rojina raten Onice	Office Cim and passes		
GMM	09-Oct-2002		rubished	United States of America	TRE	Due Date
Attys	1	Pat Number	Client	Country	TO BE EU ED	71 Aug-2004
Other	App Date	App Number	Status	Docket Number/SubCase	Action Due	Due Date
		+	0	- 110B 2700 T		Floor: 5th
Page: 47	Pag	A	SI BY FIGOR	Due Date List By Floor	100, 2004	r Tuay, August 20, 2004
	を かんかん こうしょう		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		70.000	F-Identify and the

Due Date Indicator 23-Aug-2004	Action Due Action Type ISSUE FEE-1 MONTH	Docket Number/SubCase Country 0425-0911/	Status Client Published	App Number Pat Number
23-Aug-2004 Reminder	ISSUE FEE-I MONTH IF	0425-0911 / United States of America Title: GAS GENERATOR FOR AIR I	Published FURUYA & CO. BAG AND AIR BAG APPARATUS	1
	?~~ Re	Title: GAS GENERATOR FOR AIR BAG AND AIR BAG APPARATUS Remarks: PUB FEE DIV?	BAG AND AIR BAG APPARATUS DIV?	
23-Aug-2004	Foreign Filing-IMonth	3273-0179 /	Pending	1
	rough rings	THE: NOVEL, ACID HALIDE DERIVATIVES, THER PRODUCTION, AND PRODUCTION OF INDANONECARBOXYLIC ACID ESTERS USING THE SAME	OOIO & CO. Patent Attorney OOIO & CO. Patent Attorney NOVEL ACID HALIDE DERIVATIVES, THEIR PRODUCTION, NDANONECARBOXYLIC ACID ESTERS USING THE SAME	AND PRODUCTION OF
23-Aug-2004 Reminder	CONVERT PROV-1 Month call-up File Application	3273-0179 / Pending United States of America Goto & Penda Antonney Title: NOVELA, ACTH PALLIDE DERIVATIVES, THEIR PRODUCTION, AND PRODUCTION OF INDANONECARBOXYLIC ACID ESTERS USING THE SAME	3273-0179/ United States of America Goto & Co. Parent Attorney NOVEL. ACID HALIDE DERIVATIVES, THEIR PRODUCTION, NDANONECARBOXYLIC ACID ESTERS USING THE SAME	AND PRODUCTION OF
Action Attorney	Action Attorney(Attorney2): SWG SUSAN W. GORMAN	ORMAN		
21-Aug-2004 Reminder	SPECIAL LETTER SPL1	1718-0207 /	Published	

Due Date List By Floor



9501-288E

COMMISSIONER FOR PATENT UNITED STATES PATENT AND TRADEMARK OFFIC P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Paper No.

Andrew D. Meikle BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747

JUL 2 2 2004

In re Application of: Yamada, et al. Application No. 10/046,739 Filed: January 17, 2002 For: THIN-FILM CRYSTAL WAFER HAVING PN JUNCTION AND METHOD FOR FABRICATING THE WAFER

DECISION ON PETITION TO WITHDRAW HOLDING OF ABANDONMENT

REMEMBER BY

DOWNERS

This is a decision on the petition filed on August 20, 2003, to withdraw the holding of abandonment of the above-identified application. A petition fee is not required.

The petition is granted.

Petitioner asserts that the Office action of November 20, 2002, was not received. The petition included a statement from the practitioner that the undersigned made a complete search of the file jacket and docketing records to establish non-receipt of the Office action. In addition, the petition included a copy of the docket records of the practitioner where the non-received Office action would have been entered had it been received by the practitioner.

A review of the written record indicates no irregularity in the mailing of the Office action, and in the absence of any irregularity there is a strong presumption that the Office action was properly mailed to practitioner at the address of record. This presumption may be overcome by a showing that the Office action was not in fact received. This showing required to establish the failure to receive an Office action must include a statement from the practitioner stating that the Office action was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office action was not received. A copy of the docket record where the non-received Office action would have been entered half it been received and docketed must be attached to and referenced in practitioner's statement. See "Withdrawing the Holding of Abandonment When Office Actions Are Not Received" 1156 Official Gazette 53 (November 16, 1993) and M.P.E.P. '711.03(c).

The petition satisfies the above-stated requirements. Accordingly, the application was not abandoned in fact.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for re-mailing of the November 20, 2002, Office action. The statutory periods for response set therein will be reset to run three months from the date the Office action is re-mailed.

The \$130.00 petition fee charged to applicant's account will be credited to applicant's deposit account no. 02-2448.

Inquiries regarding this decision should be directed to Lissi Mojica Marquis at (571) 272-1596.

Sharon A. Gibson, Director Technology Center 2800

Semiconductors, Electrical and Optical

Systems and Components



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.usplagav

Fax Cover Sheet

Date: 04 Apr 2005

To: Mr. Andrew Meikle	From: Vikki H. Trinh
Application/Control Number: :0/046,739	Art Unit: 2814
Fax No.: 703-205-8050	Phone No.: 571-272-1719
Voice No.: (703) 205-8000	Return Fax No.: (571) 273-1719
Re:	CC:
Urgent For Review For Comment	For Reply Per Your Request

Comments:

Enclosed is a copy of a new Notice of Abandonment, which will be sent to you, and a copy of the Office Action sent on JUly 23, 2004.

Number of pages __ in: luding this page

STATEMENT OF CONFIDENTIALITY

This facsimile transmission is a i Official U.S. Government document which may contain information which is privileged and confidential. It is intended only for use of the recipient named above. If you are not the intended recipient, any dissemination, distribution or copying of this cocument is strictly prohibited. If this document is received in error, you are requested to immediately notify the sender at the above indicated telephone number and return the entire document in an envelope addressed to:

Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450







FILING I ATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
01/17/, 302	Hisashi Yamada '	"3885-010IP	2551	
590 77/23/2004		EXAM	INER	
VART KOLASCH &	BIRCH	TRINH	HOA B	
CH, VA 2: 040-074	1	ART UNIT	PAPER NUMBER	
	01/17/7 302 590 77/21/2004 VART KOI ASCH &	01/17/; 302 Hisashi Yamada ' · · ·	01/17, 392 'Hitashi Yanisida' '3885-0101P'' 556 '1721/2504 EXAN VART KOL ASCH & BIRCH TRANH	00177, 202 Hitsahi Yamishi ' ' '3885-0101P - ' 2551 550 M721/2604 EXAMENER VART KOL ASCH & BIRCH TRENS, HOA B

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

					/
· · · · · · · · · · · · · · · · · · ·		Applicatio	n No.	Applicant(s)	
10		10/046,73	9	YAMADA ET AL.	
Offic	e Action Summary	Examiner		Art Unit	
	•	Vikki H Tri	nh.	2814	1
The MA	ILING DATE of this communication a			orrespondence ad	dress
Period for Reply					
THE MAILING Extensions of time after SIX (8) MON If the period for real if NO period for real for the period for real forms of the period for real forms of the period for real forms of the period for real forms of the period for real forms of the period for real forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period forms of the period for real	ED STATUTOF Y PERIOD FOR REF DATE OF THIS COMMUNICATION may be available u def the providence of 37 CPR THIS from the enail's defended to the communication of the communication	l. 1.136(a). In no eve eply within the statu od will apply and wil	ni, however, may a reply be tin tory minimum of thirty (30) day 1 expire SIX (5) MONTHS from	nely filed s will be considered filmed the mailing date of this c	y. ornmunication.
1) Respor	nsive to communication(s) filed on _	·			
2a)☐ This ac		This action is			
3) Since to closed Disposition of CI	his applicatior is in condition for allo in accordance with the practice und alms	wance excep er Ex parte Q	for formal matters, p uayle, 1935 C.D. 11,	rosecution as to th 453 O.G. 213.	ne merits is
4) Claim(s)	1-11 is/are r ending in the applicat	ion.			
4a) Of th	e above clain (s) is/are without	Irawn from co	sideration.		
1	is/are allowed.				
6)☐ Claim(s	is/are rejected.				
	is/are objected to.				
) 1-11 are subject to restriction and/	or election rec	uirement.		
Application Pape					
	dification is objected to by the Exam				
10)☐ The drav	ving(s) filed o: is/are; a)☐ ac	cepted or b)	objected to by the Exa	miner.	
Applica	ant may not request that any objection to	the drawing(s)	be held in abeyance.	See 37 CFR 1.85(a)	
11) The prop	osed drawing correction filed on	is: a) 🔲 a	pproved b) disappr	oved by the Exami	ner.
	oved, corrected drawings are required in		fice action.		
1	or declaration is objected to by the	Examiner.			
	5 U.S.C. §§ 1' 9 and 120				
	rledgment is reade of a claim for for	eign priority ur	der 35 U.S.C. § 119(a)-(d) or (t).	
)☐ Some *+)☐ None of:				
	Certified copies of the priority docum				
	Certified copies of the priority docum				
1	copies of the certified copies of the papplication from the International attached detailed Office action for a	Bureau (PC1	Rule 17.2(a)).		Stage
14) Acknowle	edgment is made of a claim for dom	estic priority u	nder 35 U.S.C. § 119	(e) (to a provision	al application).
a) \square The	e translation of the foreign language edgment is made of a claim for dom	provisional a	plication has been re	ceived.	
Attachment(s)					
1) Notice of Refer	rences Cited (PT 3-892) sperson's Pateni Drawing Review (PTO-948) sclosure Statem: nl(s) (PTO-1449) Paper Noi) (s)	4) Interview Summa 5) Notice of Informa 6) Other:	ry (PTO-413) Paper N I Patent Application (P	

U.S. Patent and Trademark Office PTO-326 (Rev. 04-01) Application/Control Nt mber: 10/046,739

Art Unit: 2814

DETAILED ACTION

Election/Restrictions

- Restriction to case of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-5, drawn to a device, classified in class 257, subclass 565.
 - II. Claims 5-11, drawn to a method, classified in class 438, subclass 500+.

The inventions are dis inct, each from the other because of the following reasons:

- 2. Inventions I at d II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other an I materially different product or (2) that the product as claimed can be made by another and naterially different process (MPEP § 806.05(f)). In the instant case the method can be used to make by another materially different product such as an LED display device.
- Because these inventions are distinct for the reasons given above and have acquired a separate status in the urt as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is a lyised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

Page 2

Page 3

Application/Control N1 mber: 10/046,739

Art Unit: 2814

application. Any amen Iment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee equired under 37 CFR 1.17(i).

Any inquiry coacerning this communication or earlier communications from the Examiner should be directed to Vikki Trinh whose telephone number is (703) 308-8238. The Examiner can normall / be reached Mon-Tuesday, Thurs-Friday, 7:30 AM - 6:00 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Wael 'ahmy, can be reached at (703) 308-4918. General inquiries relating to the status of this application should be directed to the Group receptionist at (703) 308-0858. The fax number is (703) 308-708.

Vikki Trinh, Patent Examiner AU 2814

November 17, 2002

	Application No.	Applicant(s)
	10/046.739	YAMADA ET AL.
Notice of Abandonment	Examiner	Art Unit
	Vikki H. Trinh	2814
The MAILING DATE of this communication	appears on the cover sheet with the o	correspondence address
This application is abandoned in view of:		
⊠ Applicant's failure to timely file a pr :per reply to the C (a) ☐ A reply was received on with a Certificate period for reply (including a tota extension of time (b) ☐ A proposed reply was received on but it di	of Malling of Transmission dated	
(b) A proposed reply was received on, but it do	oes not constitute a proper repry direct	mendment which places the
(A proper reply under 37 CFR 1 113 to a final reje application in condition for allov ance; (2) a timely Continued Examination (RCE) in compliance with	filed Notice of Appeal (with appeal lee), 37 CFR 1.114).	of (3) a milely filed request for
(c) A reply was received on but it does not confinal rejection. See 37 CFR 1.8 5(a) and 1.111. (8	nstitute a proper reply, or a bona fide att See explanation in box 7 below).	empt at a proper teply, to the holi-
(d) 🖾 No reply has been received.		
Applicant's failure to timely pay the required issue fer from the mailing date of the Notice of Allowance (PTC)		
(a) The issue fee and publication fee, if applicable,), which is after the expir ation of the statuto Allowance (PTOL-85).	was received on (with a Certifiory period for payment of the issue fee (a	cate of Mailing or Transmission dated and publication fee) set in the Notice o
(b) ☐ The submitted fee of \$i: insufficient. A ba	lance of \$ is due.	
The issue fee required by 37 CFR 1.18 is \$	The publication fee, if required by 3	7 CFR 1.18(d), is \$
(c) ☐ The issue fee and publication (se, if applicable, h	as not been received.	
Applicant's failure to timely file cor ected drawings as Allowability (PTO-37).		
(a) Proposed corrected drawings vere received on _ after the expiration of the period for reply.	(with a Certificate of Mailing or Tra	ansmission dated), which is
(b) ☐ No corrected drawings have been received.		
The letter of express abandonme it which is signed the applicants.		
5. The letter of express abandonme it which is signed 1.34(a)) upon the filing of a contir uing application.		
The decision by the Board of Pat :nt Appeals and Int of the decision has expired and there are no allowed.	terference rendered on and beca I claims.	use the period for seeking court review
7. M The reason(s) below:		
There was no reply to the Offi⊃e Action sent on received in the file after six m inthis from the da	n July 23, 2004. A status of inquiry f tte of the Office Action.	rom the attorney of record was
Petitions to revive under 37 CFR 1.137(a) ar (b), or requests to a minimize any negative effects on patent team.	withdraw the holding of abandonment under	37 CFR 1.181, should be promptly filed to
LLC Delegand and Tondemark Office	-time of Abandonment	Part of Paper No. 0405

IN THE U.S. PATENT AND TRADEMARK OFFICE

 Applicant:
 Hisashi YAMADA et al.
 Conf.:
 2551

 Appl. No.:
 10/046,739
 Group:
 2814

 Filed:
 January 17, 2002
 Examiner:
 H. TRINH

For: THIN-FILM CRYSTAL WAFER HAVING pn JUNCTION AND

METHOD FOR FABRICATING THE WAFER

LARGE ENTITY TRANSMITTAL FORM

Commissioner for Patents May 4, 2005 P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

П

П

Transmitted herewith is a Reply to Restriction/Election Requirement in the above-identified application.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

to	ition for () month(s) extension of time pursuant 37 C.F.R. $\$\$$ 1.17 and 1.136(a). $\$0.00$ for the extension time.
⊠ No	fee is required.
□ A o	neck in the amount of \$0.00 is enclosed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional

\$0.00. A triplicate copy of this sheet is attached.

Please charge Deposit Account No. 02-2448 in the amount of

fees required under 37 C.F.R. \$\$1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Ву__

Andrew D. Meikle, #32,868

ADM:gmh 3885-0102P P.O. Box 747 Falls Church, VA 22040-0747 (703) 205-8000

Attachment(s)

May 4, 2005

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hisashi YAMADA et al. Conf.: 2551

Appl. No.: 10/046,739 Group: 2814

Filed: January 17, 2002 Examiner: H. TRINH

For: THIN-FILM CRYSTAL WAFER HAVING pn JUNCTION AND

METHOD FOR FABRICATING THE WAFER

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In reply to the Restriction Requirement received April 4, 2005, via facsimile, the following remarks are respectfully submitted in connection with the above-identified application.

This reply includes: Remarks.

REMARKS

Claims 1-11 are pending in the above-identified application.

The claims of the present application have been subjected to a

Restriction Requirement under 35 U.S.C. 121 as follows:

Group I - claims 1-5 directed to a device; and

Group II - claims 6-11, directed to a method for making the device of the claims of Group I.

Election

Applicants hereby elect the claims of Group I, i.e. claims 1-5. This election is made with a traversal.

Reasons for Traversal of Restriction Requirement

It is respectfully submitted that the search and examination for the presently elected Group I (claims 1-5) substantially overlaps with that of the non-elected Group II subject matter directed to a method for forming the device of elected Group I. For example, the method steps recited in claim 6 require the formation of a base layer, a thin film layer and an emitter layer which have the same composition and properties as recited for the corresponding layers in elected claim 1. The reason indicated for the restriction requirement that the method recited in the claims of Group II may be used to form a "materially different product" is

Appl. No. 10/046,739

not understood in that it appears the same product having the same properties is indeed formed by the method of non-elected group II claims. Consequently, it is submitted that there is no significant burden placed on the Examiner to examine all of the subject matter

of all of the claims pending in the present application such that

the Restriction Requirement should be withdrawn.

Conclusion

If any questions arise regarding the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number

listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By_____

Andrew D. Meikle, #32.868

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

ADM: qmh

MS PETITION

Docket No.: 3885-0102P (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hisashi YAMADA et al.

Application No.: 10/046,739

Confirmation No.: 2551

Filed: January 17, 2002

Art Unit: 2814

For: THIN-FILM CRYSTAL WAFER HAVING PN

JUNCTION AND METHOD FOR FABRICATING THE WAFER

Examiner: H. B. Trinh

LETTER RESUBMITTING PETITION TO WITHDRAW ABANDONMENT

MS Petition

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Attached hereto is a Petition to Withdraw the Holding of Abandonment filed May 4, 2005. Applicants respectfully request a Decision with regard to this Petition.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 02-2448, under Order No. 3885-0102P from which the undersigned is authorized to draw.

By

Dated: July 15, 2005

Respectfully submitted,

Andrey D. Neikle Registration No.: 32.868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd Suite 100 East P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorneys for Applicant



ADM/gh

MS PETITION

Docket No.: 3885-0102P

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

In re Patent Application of: Hisashi YAMADA et al.

Application No.: 10/046,739 Confirmation No.: 2551

Filed: January 17, 2002 Art Unit: 2814

For: THIN-FILM CRYSTAL WAFER HAVING PN Examiner: H. B. Trinh

JUNCTION AND METHOD FOR FABRICATING THE WAFER

STATUS INQUIRY

MS Petition

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the attorney named below be advised of the status of the aboveidentified application. Please advise us of when we might expect to receive a Response for the Petition to Withdraw Abandonment filed on July 15, 2005 in the Patent and Trademark Office.

Dated: March 13, 2006 Respectfully submitted,

Andrew D. Meikle

Registration No.: 32,868 BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road Suite 100 East

P.O. Box 747 Falls Church, Virginia 22040-0747

(703) 205-8000 Attorney for Applicant

EXHIBIT

ADM/mao

MS PETITION

Docket No.: 3885-0102P

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Hisashi YAMADA et al.

Application No.: 10/046,739 Confirmation No.: 2551

Filed: January 17, 2002 Art Unit: 2814

For: THIN-FILM CRYSTAL WAFER HAVING PN Examiner: H. B. Trinh

JUNCTION AND METHOD FOR FABRICATING
THE WAFER

SECOND STATUS INQUIRY

MS Petition

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir

It is respectfully requested that the attorney named below be advised of the status of the aboveidentified application. Please advise us of when we might expect to receive a Response for the Petition to Withdraw Abandonment filed on July 15, 2005 in the Patent and Trademark Office.

Dated: May 22, 2009 Respectfully submitted,

By______Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 Gatehouse Road

Suite 100 East P.O. Box 747

Falls Church, Virginia 22040-0747 (703) 205-8000

Attorney for Applicant

EXHIBIT 12

ADM/mao



Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747

COPY MAILED

JUL 3 0 2009

OFFICE OF PETITIONS

In re Application of Hisashi Yamada, et al. Application No. 10/046,739 Filed: January 17, 2002 Attorney Docket No. 3885-0102P

DECISION ON PETITION

This is a decision on the petition, filed May 4, 2005, under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application. The delay in responding is regretted; however, the petition was recently referred to the Office of Petitions for consideration.

The petition is GRANTED.

This application was held abandoned for failure to reply in a timely manner to the Restriction Requirement, mailed July 23, 2004. A Notice of Abandonment was mailed April 8, 2005. In response, on May 4, 2005, the present petition was filed.

Petitioner asserts that the Office action dated July 23, 2004 was not received.

A review of the application file reveals no irregularities in the mailing of the Office action of July 23, 2004. Thus, there is a strong presumption that the correspondence was properly mailed to the applicant at the correspondence address of record. In the absence of demonstrated irregularities in mailing of this Office action, petitioner must submit evidence to overcome this presumption. The following showing is required:

Practitioner must state that the Office action was not received at the correspondence address of record, and that a search of the practitioner's record(s), including any file jacket or the equivalent, and the application contents, indicates that the Office action was not received. A copy of the record(s) used by the practitioner where the non-received Office action would have been entered had it

A copy of the practitioner's record(s) required to show non-receipt of the Office action should include the master docket for the firm. That is, if an one month

A copy of the practitioner's record(s) required to show non-receipt of the Office action should include the master docket for the firm. That is, if an one month period for reply was set in the nonreceived Office action, a copy of the master docket report showing all replies docketed for a date one month from the mail date of the nonreceived Office action must be submitted as documentary proof of nonreceipt of the Office action. If no such master docket exists, the practitioner should so state and provide other evidence such as, but not limited to, the following: the application file jacket; incoming mail log; calendar; reminder system; or the individual docket record for the application in question.

Petitioner has adequately supported his claim of non-receipt with the evidence provided.

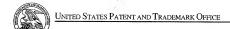
In view of the above, the Notice of Abandonment is hereby <u>vacated</u> and the holding of abandonment withdrawn.

This application is being referred to Technology Center AU 2814 for appropriate action in the normal course of business on the reply received May 4, 2005.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.

Sherry D. Brinkley Petitions Examiner

Office of Petitions



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P. D. Son 1450 Alexandria, Virginia 22313-1450 www.usupio.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/046,739	01/17/2002	Hisashi Yamada	3885-0102P 2551	
BIRCH STEW	7590 10/28/2009 ART KOLASCH & BIR	CH	EXAM	INER
PO BOX 747			NGO, N	GAN V
FALLS CHUF	RCH, VA 22040-0747		ART UNIT	PAPER NUMBER
			2893	
			NOTIFICATION DATE	DELIVERY MODE
			10/28/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com



	Application No		Applicant(s)
Office Action Com	10/046,739		YAMADA ET AL.
Office Action Summary	Examiner		Art Unit
	Ngan Ngo		2893
The MAILING DATE of this communic Period for Reply	ation appears on the cove	er sheet with the co	orrespondence address
A SHORTENED STATUTORY PERIOD FO WHICHEVER IS LONGER, FROM THE MA Extensions of time may be available under the provisions of after SIX (6) MONTHS from the mailing date of this communi. Failure to mply within the act or dended period for mply we Any reply received by the Office later than three monitle and earned patent term adjustment. See 37 CFR 1.70(40).	ILING DATE OF THIS OF 37 CFR 1.136(a). In no event, how nication.	OMMUNICATION rever, may a reply be tim	l. ely filed
Status			
Responsive to communication(s) filed	on .		
) This action is non-fir	al.	
 Since this application is in condition for 	or allowance except for fo	rmal matters, pro	secution as to the merits is
closed in accordance with the practice	e under Ex parte Quayle,	1935 C.D. 11, 45	3 O.G. 213.
Disposition of Claims			
4) Claim(s) 1-11 is/are pending in the ap	plication.		
4a) Of the above claim(s) 6-11 is/are w	vithdrawn from considera	tion.	
Claim(s) is/are allowed.			
 Claim(s) <u>1-5</u> is/are rejected. 			
Claim(s) is/are objected to.			
Claim(s) are subject to restriction	on and/or election require	ment.	
Application Papers			
9) The specification is objected to by the I	Examiner,		
10) The drawing(s) filed on is/are: a	a) accepted or b) ob	ected to by the E	xaminer.
Applicant may not request that any objection	on to the drawing(s) be held	in abeyance. See	37 CFR 1.85(a).
Replacement drawing sheet(s) including the			
11)☐ The oath or declaration is objected to b	y the Examiner. Note the	attached Office A	Action or form PTO-152.
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for	r foreign priority under 35	U.S.C. § 119(a)-	(d) or (f).
a)⊠ All b)□ Some * c)□ None of:			
 Certified copies of the priority do 			
 Certified copies of the priority do 			
3. Copies of the certified copies of			in this National Stage
application from the Internationa			
* See the attached detailed Office action f	or a list of the certified co	pies not received	
Attachment(s)			
Notice of References Cited (PTO-892)		Interview Summary (F	270 442)
 Notice of Draftsperson's Patent Drawing Review (PTO 	-948)	Paper No(s)/Mail Date	o
3) Information Disclosure Statement(s) (PTO/SB/08)		Notice of Informal Pat	ent Application
Paper No(s)/Mail Date 20020117, S. Patent and Trademark Office	6) 📙	Other:	
	Office Action Summary	Part	of Paper No./Mail Date 20091025

Application/Control Number: 10/046,739 Art Unit: 2893

The election filed July 15, 2005 has been entered and made of record as paper no. 20050715.

Applicant's election with traverse of claim 1-5 in the reply filed on July 15, 2005 is acknowledged. The traversal is on the ground(s) that "the search and examination for the presently elected Group I (claims 1-5) substantially overlaps with that of the non-elected Group II subject matter directed to a method for forming the device of elected Group I ". This is not found persuasive because the search might overlap but not coextensive. The search of group I does not require to search "a heterojunction bipolar transistor" as recited in Group II.

The requirement is still deemed proper and is therefore made FINAL.

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, "the first and second crystal layer...forms a heterojunction" is not understood. If the "thin film layer" is formed between (at an interface of the heterojunction) the first and second crystal layer, then there is no "heterojunction" between the first and the second crystal layers; the first and the second crystal layers are separated from each other by the "thin film layer".

Application/Control Number: 10/046,739 Art Unit: 2893

Any inquiry concerning this communication should be directed to Examiner Ngan Ngo at telephone number (571) 272-1711. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ngan Ngo/ Primary Examiner, Art Unit 2893

Ngan Ngo October 26, 2009

Application/Control No. Applicant(s)/Patent Under Reexamination 10/046,739 YAMADA ET AL. Notice of References Cited Examiner Art Unit Page 1 of 1 2893 Ngan Ngo

	U.S. PATENT	DOCUMENTS
Date		N

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	Α	US-5,351,256 A	09-1994	Schneider et al.	372/45.011
*	В	US-5,766,981 A	06-1998	Thornton et al.	438/36
*	С	US-5,811,844 A	09-1998	Kuo et al.	257/194
*	D	US-5,844,261 A	12-1998	Kuo et al.	257/194
*	Е	US-5,844,260 A	12-1998	Ohori, Tatsuya	257/190
*	F	US-2002/0031853 A1	03-2002	Fujimoto, Hidetoshi	438/48
*	G	US-2002/0118720 A1	08-2002	Ebeling et al.	372/96
*	Н	US-2003/0064538 A1	04-2003	Fujimoto, Hidetoshi	438/48
*	1	US-2003/0170927 A1	09-2003	Holonyak et al.	438/47
*	J	US-7,122,846 B2	10-2006	Kish et al.	257/96
*	к	US-7,208,770 B2	04-2007	Kish et al.	257/96
	L.	US-			
	М	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	0					
Г	Р			-		
Г	Q					
	R					
	s					
	Т					

NON-PATENT DOCUMENTS

	NON-PATENT DOCUMENTS								
*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)							
	U								
	v								
	w								
	×								

A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office PTO-892 (Rev. 01-2001)

Form PT	0-1449		АТТУ БОСКЕТ НО. 3885-0102P		APPLICAT NEW	ION NO.	10
, II	NFORMATION DISCLOSURE IN AN APPLICATION		APPLICANT YAMADA, Hisash	i et	al.		6739 6739
	(Use several sheets if necessa	ary)	FILING DATE January 17, 20	02	GROUP		10/04
	T T	.s. patent i			<u></u>		5
ETANINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	PILIN IF APP	G DATE ROPRIATE
						-	
				+	-		
				-	-	-	
				╁—			
		REIGN PATENT					
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	CLASS	YES	MOITA
	8-241896	1996-09-17	JР			ABS	
				-			
				-			
				-			
				-			
OTHER	DOCUMENTS (Include Name of the author al. symposium, catalog, etc.) date, page(s), vol	(in CAPITAL LETTERS), ti	tle of the article (when appropri	ate), title	of the item	(book, nag	rakige,
			and the state of t	yaaraa.			
EXAMINER	/Ngan Ngo/			25/2009			
CAMINER: Init	rial if citation considered, whether or not citated to the communication to the communication of the communication	tion is in conformance wit to applicant.	h M.P.E.P. 609; Draw line through	citation	f not in con	formance as	nd not